













THE  
REGULATIONS AND LAWS;

ENACTED BY THE

GOVERNOR GENERAL IN COUNCIL,

**FOR THE**

## CIVIL GOVERNMENT

OF

*THE WHOLE OF THE TERRITORIES UNDER THE PRESIDENCY*

CF

# FORT WILLIAM IN BENGAL

**VOLUME VIII.**

RE-PRINTED FROM THE GOVERNMENT COPY,  
CONTAINING THE REGULATIONS OF THE YEAR 1819.

BY HENRY WHITE.



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## NOTIFICATION.

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*This Volume has been published at the present time, or out of numerical order, in consequence of the request of many Subscribers. It does not contain the Explanatory Notes of the preceding Volumes, for two reasons; viz. 1st. Because it does not form the set originally proposed for publication, which extends, in point of time, to the year 1816; and 2d. The Regulations passed after the year 1816, came to the Editor's hands singly; and therefore not having them ALL before him at ONE TIME, until the printing of the present Volume had considerably advanced, he had it not in his power to supply the Notes.*

*Subscribers wishing to have the Regulations that are already passed, and those which may be passed, after the year 1818, have only to call for them, and they will be transmitted by Dawk at a moderate price: these must, unavoidably, be furnished singly, or in loose sheets, as they may be issued by the Government from time to time. Payment, or reference of payment, must be made in Calcutta previous to the delivery or dispatch of any Volume, or part of the Regulations, as a sine qua non. To avoid frequent references, a General Order is recommended for the transmission of the Regulations passed subsequently to the year 1816, or of those passed previous to that date, accompanied by a reference of payment in Calcutta, including the price and all attendant charges.*







# TITLES OF THE REGULATIONS

## PASSED IN THE YEAR

1817.

### REGULATIONS.

#### I.

A REGULATION for extending the authority of the Commissioner in Behar and Benares, to the districts of Ramghur, Bhaugulpore and Purneah. Passed on the 17th January 1817.

#### II.

A REGULATION for re-establishing the office of Conoongee in those portions of the districts of Ramghur, Bhaugulpore and Purneah, which are comprised in the province of Behar. Passed on the 17th January 1817.

#### III.

A REGULATION for diminishing the expense to which parties are liable in original suits or appeals not exceeding sixty-four rupees in value or amount, when tried by the zillah and city judges, registers or sudder aumeens; and for modifying and explaining some of the rules contained in Regulation I, 1814, and in Regulation XXII, 1814. Passed on the 51st January 1817.

#### IV.

A REGULATION for annexing to the zillah of Seharunpore, the tract of country called Deyra Doon, formerly composing a part of the territories of the Rajah of Nepaul. Passed on the 28th February 1817.

#### V.

A REGULATION for declaring the rights of government and of individuals with respect to hidden treasure; and for prescribing the rules to be observed on discovery of such treasure. Passed on the 28th February 1817.

#### VI.

A REGULATION to explain the purport and intent of the provision contained in Section II, Regulation XXIV, 1803. Passed on the 11th of April 1817.

#### VII.

A REGULATION for modifying that part of Section IV, Regulation XXII, 1816, which declares that the allowances of chokeedars of police shall not exceed three rupees per mensem. Passed on the 18th of April 1817.

#### VIII.

A REGULATION for modifying certain parts of Regulation XVII, 1813. Passed on the 2d May 1817.

#### IX.



## TITLES OF THE REGULATIONS.

### IX.

**A REGULATION** for rescinding *Regulation V*, 1815. Passed on the 22d of July 1817.

### X.

**A REGULATION** for the trial of persons charged with the commission of certain heinous offences in *Kumaon* and other tracts of territory ceded to the *Honorable the East India Company* by the *Rajah of Nepaul*, and subject to the *British government*. Passed on the 22d July 1817.

### XI.

**A REGULATION** for modifying certain parts of *Regulations XIX and XXXVII*, 1793, and *Regulations XLI and XLII*, 1795. Passed on the 29th July 1817.

### XII.

**A REGULATION** for securing the better administration of the office of *putwaree* in the ceded and conquered provinces, the provinces of *Behar* and *Benares*, the district of *Cuttack*, the *purgunnah* of *Puttaspore* and its dependencies. Passed on the 12th August 1817.

### XIII.

**A REGULATION** for establishing the office of *cunoongoe* in the district of *Midnapore* and in the *Mehals*, subject to the authority of the collector of *Hiddelee*, and for extending to the said district and *mehals*, the operation of *Regulation XII*, 1817. Passed on the 26th August 1817.

### XIV.

**A REGULATION** for amending certain parts of *Regulation II*, 1812. Passed on the 9th September 1817.

### XV.

**A REGULATION** for imposing a duty on foreign salt, imported by sea into any port or place within the limits of the territories immediately dependent on the presidency of *Fort William*. Passed on the 9th September 1817.

### XVI.

**A REGULATION** for imposing a duty on foreign opium, imported by sea into any port or place within the limits of the territories immediately dependent on the presidency of *Fort William*. Passed on the 9th September 1817.

### XVII.

**A REGULATION** to provide for the more effectual administration of criminal justice in certain cases. Passed on the 16th September 1817.

### XVIII.

**A REGULATION** to modify the rules in force which prescribe an oath of office to be taken by certain native officers; and to explain and amend other provisions relative to the native ministerial officers and law officers of the civil and criminal courts. Passed on the 16th September 1817.

### XIX.

**A REGULATION** for modifying and amending some of the *Regulations* in force, relative to the administration of civil justice, and to the authorized summary process for recovery of arrears of rent. Passed on the 16th September 1817.

### XX.

## TITLES OF THE REGULATIONS.

### XX.

**A REGULATION** for reducing into one Regulation, with amendments and modifications, the several rules which have been passed for the guidance of daroghs and other subordinate officers of police; for modifying the existing rules concerning the resistance or evasion of criminal process, and for requiring further aid to the police, in certain cases, from proprietors and farmers of land, and their local managers, as well as from the munduls and other heads of villages. Passed on the 7th October 1817.

### XXI.

**A REGULATION** for modifying and explaining certain parts of Regulation IV, 1815. Passed on the 28th October 1817.

### XXII

**A REGULATION** for vesting the judge and magistrate of Cuttack with power to remove and to appoint the native ministerial officers on his establishment, without a previous reference to the provincial courts of appeal and circuit for the division of Calcutta. Passed on the 28th October 1817.

### XXIII.

**A REGULATION** for modifying certain parts of Regulations XIX and XXXVII, 1793, and for defining the right of government to the revenue of lands not included within the boundaries of estates for which a settlement has been made. Passed on the 28th October 1817.

### XXIV.

**A REGULATION** for modifying the constitution of the commission established in the provinces of Behar and Benares, and in the districts of Ramghur, Bhagulpore and Purneah; for extending the authority of the said commission to the districts of Dinagepore and Rungpore; and for better defining the powers to be exercised in certain cases by a single member of the Board of Revenue, or commission vested with the authority of that Board. Passed on the 9th December 1817.

### XXV.

**A REGULATION** for fixing the weight of the pice struck at the Calcutta Mint, and for giving general circulation to pice struck at any of the Mints subordinate to this presidency. Passed on the 9th December 1817.

### XXVI.

**A REGULATION** for authorizing the circulation of Furruckabad rupees, coined in the Mints of Calcutta, Furruckabad or Benares, or at any other Mint, established by order of the Governor General in Council. Passed on the 16th December 1817.



# TITLES OF THE REGULATIONS

## PASSED IN THE YEAR

1818.

### REGULATIONS.

#### I.

**A REGULATION** for establishing the office of *Canoongoe* in the districts of the 24-*Purgunnahs*, *Nudden*, *Jessore*, *Dacca*, *Jelalpore* and *Backergunge*, and for extending to the said districts the operation of Regulation XII, 1817. Passed on the 17th March, 1818.

#### II.

**A REGULATION** for annexing to the *zillah* of *Burdicund* the *Elakeh* of *Khundeh*, appertaining to the *Purgunnah* of *Mahoba*, together with certain villages belonging to the *Purgunnah* of *Choorkee*, on the right bank of the *Jumna*, formerly composing a part of the territories of *Nana Govind Row*. Passed on the 31st of March, 1818.

#### III.

**A REGULATION** for the confinement of *State Prisoners*. Passed on the 7th April, 1818.

#### IV.

**A REGULATION** for re-establishing the *dewanny adawlut* of the northern division of *Schurunpore*. Passed on the 14th April, 1818.

#### V.

**A REGULATION** for the appointment of a *Commissioner* to be vested with special powers in the administration of civil affairs in *zillah Cuttack*. Passed on the 28th April, 1818.

#### VI.

**A REGULATION** for providing against the protracted confinement of persons charged with criminal offences, during the examination of such charges before the magistrates; and for defining the powers of the courts of circuit, at the sudder stations of those courts, with respect to persons committed or held to bail by the magistrates, for trial at the periodical sessions of jail delivery. Passed on the 12th May, 1818.

#### VII.

**A REGULATION** for rescinding such parts of the existing Regulations as relate to the conduct of the trade of foreign nations to the ports and settlements of the British nation in the *East Indies*, and for better giving effect to a Regulation in that behalf, enacted by the Honorable the Court of Directors of the United Company of Merchants of England trading to the *East Indies*. Passed on the 28th August, 1818.

#### VIII.

## TITLES OF THE REGULATIONS.

### VIII.

**A REGULATION** for rescinding part of Clause 6, Section II, Regulation LIII, 1803, for modifying some of the existing rules relating to the requisition of security for good behaviour, and for providing for a revision of the cases of certain classes of prisoners, detained in confinement, on failure to furnish security for their good behaviour and appearance. Passed on the 28th August, 1818.

### IX.

**A REGULATION** for extending for a further period of five years the existing settlement in the conquered provinces, lying on the right and left banks of the river Jumna, with the exception of the southern division of the district of Scharampore; and in the territory ceded to the British government by His Highness the Peishwah in Bundelcund, in all cases, in which the settlement may have been concluded with the actual proprietors of the land. Passed on the 18th September, 1818.

### X.

**A REGULATION** for ensuring the more punctual and regular collection of the public revenue from proprietors and farmers of land in the district of Cuttack, the Purgunnah of Puttaspore, and the several Purgunnahs dependent on it. Passed on the 9th October, 1818.

### XI.

**A REGULATION** for modifying certain parts of Regulation XIII, 1816. Passed on the 6th November, 1818.

### XII.

**A REGULATION** for extending the powers of the magistrates and joint magistrates, in the trial of persons charged with breaking into houses and other places of habitation, or into warehouses or other places used for the custody of property, with an intent to steal; or charged with theft; or with buying or receiving stolen property, knowing the same to have been stolen, or charged with escape from jail or other place of confinement. Passed on the 6th November, 1818.

### XIII.

**A REGULATION** for extending for a further period of three years the existing settlement of Cuttack, Purgunnah Puttaspore, and its dependencies, in all cases in which the settlement may have been concluded with zemindars or actual proprietors of the land. Passed on the 20th November, 1818.

### XIV.

**A REGULATION** for altering the standard of the Calcutta Sicca Rupee and Gold Mohur, and for further modifying some of the rules in force respecting those Coins. Passed on the 24th December, 1818.

## A. D. 1817. REGULATION I.

**A REGULATION** for extending the authority of the Commissioner in Behar and Benares, to the districts of Ramghur, Bhaugulpore, and Purneah.—**PASSED** by the Governor General in Council, on the 17th of January 1817 ; corresponding with the 6th Magh 1223 Bengal era ; the 14th Magh 1221 Fusly ; the 7th Magh 1224 Willaitee ; the 15th Magh 1873 Sumbut ; and the 28th Suffer 1232 Hijree.

**WHEREAS** it has been deemed advisable to extend the authority of the Commissioner in Behar and Benares to the districts of Ramghur, Bhaugulpore and Purneah, the following rule has been enacted to be in force from the 1st of February 1817 ; corresponding with the 21st Magh 1223 Bengal era ; the 29th Magh 1221 Fusly ; the 29th Magh, 1221 Willaitee ; the 14th Magh 1873 Sumbut ; and the 15th Rubee-ool-uwal, 1232, Hijree.

Preamble.

**II.** The general superintendence of the revenues of the districts of Ramghur, Bhaugulpore and Purneah, shall be vested in the Commissioner in Behar and Benares, in the same manner as the superintendence of the revenues of the province of Benares, and of the zillahs of Behar, Shahabad, Sarun and Tirhoot, is now exercised by that officer, under the provisions of Regulation I, 1816.

The authority of the Commissioner in Behar and Benares, extended to the districts of Ramghur, Bhaugulpore and Purneah.

*Revised, in 1822, 3rd 1822.*



## A. D. 1817. REGULATION II.

**A REGULATION** for re-establishing the office of Canoongoe, in those portions of the districts of Ramghur, Bhaugulpore and Purneah, which are comprised in the province of Behar.—**PASSED** by the Governor General in Council, on the 17th January 1817; corresponding with the 6th Magh 1223 Bengal era; the 14th Magh 1224 Fusly; the 7th Magh 1224 Willaitee; the 15th Magh 1873 Sumbut, and the 23th Suffer 1232 Hijree.

**WHEREAS** the office of Canoongoe has already been re-established under the provisions of Regulation II, 1816, in that portion of the province of Behar, which forms the districts of Shahabad, Tirhoot, Sarun and Behar; and whereas it is expedient to re-establish the said office generally throughout the province of Behar, the following rule has been enacted, to be in force from the 1st of February 1817, corresponding with the 21st Magh 1223 Bengal era; the 29th Magh 1224 Fusly; the 22d Magh 1224 Willaitee; the 14th Magh 1873 Sumbut, and the 13th Rubee-ool-uwal 1232 Hijree.

**II.** The operation of the rules contained in Regulation II. 1816, is hereby extended to the several pergunnaahs of the zillahs of Rangur, Bhaugulpore and Purneah, which are comprised in the province of Behar, and are usually denominated the Fuslee Mehals of the zillahs abovementioned.

Preamble.

The operation of Regulation II, 1816, extended to parts of the districts of Ramghur, Bhaugulpore and Purneah.





## A. D. 1817. REGULATION III.

**A REGULATION** for diminishing the expense to which parties are liable in original suits or appeals not exceeding sixty-four rupees in value or amount, when tried by the zillah and city judges, registers or sudder aumeens; and for modifying and explaining some of the rules contained in Regulation I, 1814, and in Regulation XXIII, 1814 — **PASSED** by the Governor General in Council, on the 31st of January, 1817; corresponding with the 20th Mang 1223 Bengul era; the 28th Mang 1224 Fussy; the 21st Mang 1224 Wilbity; the 13th Mang 1873 Sumbut; and the 12th Ruhee-ool-uwal 1232 Higeree.

**W**HEREAS parties in civil suits, not exceeding in value or amount sixty-four rupees, are now liable to disproportionate expense, when such suits are prosecuted in the zillah or city courts, and whereas it is expedient to render the provisions contained in Sections XV, XVI and XVII, Regulation I, 1814, applicable to appeals, exceeding sixty-four rupees in value or amount, when such appeals are referred for trial to the zillah and city registers; and whereas it is expedient to remove certain doubts, which have arisen regarding the construction of the second Clause of Section XLIX, Regulation XXIII, 1814; the following rules have been enacted, to take effect from the 1st of March, 1817, throughout the provinces immediately subject to the presidency of Fort William.

Preamble.

**II.** The provisions contained in Clause fourth, Section XXV, in Clause third, Section XXIX, and in Clause first, Section XXXVIII, of Regulation XXIII, 1814, are hereby extended to all original suits or appeals, not exceeding in amount or value the sum of sixty-four rupees, which may be instituted in the zillah or city courts, subsequently to the date fixed for the operation of this Regulation, whether those suits be tried by the zillah or city judges themselves, or be referred for trial to the sudder aumeens or registers.

Certain provisions in Regulation XXIII, 1814, declared to extend to all original suits and appeals, which may be instituted in the zillah or city courts, not exceeding in amount the sum of sixty-four rupees.

**III.** The rates of stamp duty prescribed for the register's court by Sections XV, XVI, and XVII, Regulation I, 1814, are hereby declared applicable to appeals from the decisions of sudder aumeens, which may be referred for trial to the zillah and city registers, in all cases in which the amount or value originally adjudged against the appellant, shall exceed sixty-four rupees.

Sections XV, XVI and XVII, Regulation I, 1814, applicable to appeals before registers, exceeding in value or amount the sum of sixty-four rupees.

**IV.** Doubts having arisen, whether under the provisions of Section II, and of the second Clause of Section XLIX, Regulation XXIII, 1814, the plaintiffs or appellants in suits depending before the moonsiffs and sudder aumeens, which may be adjusted by razeenamah, are entitled to receive the whole or any portion of the value

Explanation of Section II, and Clause second, Section XLIX, Regulation XXIII, 1814.

or

**A. D. 1817. REGULATION III.**

For amount of the institution fee, in such suit, it is hereby declared, that the plaintiffs or appellants in suits, which may be adjusted by razeenamah, before the moonsiffs and sudder aumeens, are not entitled to receive back any part of the value or amount of the fee in question, the whole of which is to be paid to the sudder aumeens or moonsiffs, in conformity with the second Clause of Section XLIX, Regulation XXIII 1814.

## A. D. 1817. REGULATION IV.

**A REGULATION** for annexing to the zillah of *Seharunpore*, the tract of Country called *Deyra Doon*, formerly composing a part of the territories of the *Rajah of Nepaul*.  
—**PASSED** by the Governor General in Council, on the 28th February 1817; corresponding with the 18th *Phaugun* 1223 *Bengal era*; the 26th *Phaugun* 1224 *Fusly*; the 19th *Phaugun* 1224 *Willaity*; the 12th *Phaugun* 1873 *Sumbut*; and the 11th *Rubees-us-sanee* 1232 *Higeree*.

**WHEREAS** the tract of country called *Deyra Doon*, heretofore forming a part of *Gurhwal*, has been ceded to the Honorable the East India Company, in full sovereignty by the *Rajah of Nepaul*, and whereas it has been judged advisable to annex that tract of country to the district of *Seharunpore*, the following rules have been enacted, to be in force from the period of their promulgation.

Preamble.

**II.** The tract of country called *Deyra Doon*, heretofore forming a part of *Gurhwal*, shall be annexed to the district of *Seharunpore*, and shall be considered subject in all matters of police and criminal jurisdiction to the magistrate of the northern division of *Seharunpore*; and in all matters of a civil nature to the jurisdiction of the *dewanny adawlut* of that district. The Laws and Regulations established for the internal administration of the ceded and conquered provinces, are hereby declared to be in full force and effect in the *Deyra Doon*, subject however to the provisions contained in the following sections.

The tract of country called *Deyra Doon*, to be annexed to *Seharunpore*, and the existing laws and Regulations extended to that tract of country.

**III.** The courts of civil judicature shall not be deemed competent to take cognizance of civil claims in the *Deyra Doon*, the cause of action in which may have originated previously to the 15th of May 1803, being a period of twelve years antecedent to the date of the convention, by which that tract of country was surrendered to the British government.

Subject to the following provisions.

Civil courts prohibited from taking cognizance of suits, if the cause of action shall have arisen previously to the 15th May, 1803.

**IV. First.** The courts of criminal judicature are hereby prohibited from taking cognizance of any crime or offence, which may have been committed in any part of the *Deyra Doon* previously to the 15th of May, 1815, being the date of the convention by which the said tract of country was surrendered to the Honorable the East India Company.

Criminal courts prohibited from taking cognizance of offences committed previously to the 15th May, 1815.

**Second.** No part of the Regulations in force, by which the punishment of any offence may be enhanced beyond the punishment prescribed for such offence, according to the existing laws and usages of the territory in question, shall be considered applicable to any crime or offence committed within the *Deyra Doon*, between the 15th of May 1815, and the period of the promulgation of this Regulation.

Certain provisions of the Regulations in force declared inapplicable to offences committed in the *Deyra Doon*, between the 15th May 1815, and the promulgation of this Regulation.

**Third.** In cases however, in which the penalties established by the existing Regulations, may appear to be more lenient than those to which the offenders would have

Provisions of the criminal Regulations which

have

#### A. D. 1817. REGULATION IV.

may be favorable to the prisoner to be applicable to such cases.

have been subject under the pre-existing laws and usages of the Doon, such offenders shall nevertheless have the benefit of the provisions now established, supposing the offences to have been committed between the 15th of May 1815, and the period of the promulgation of this Regulation.

Power reserved to the Governor General in Council of fixing the periods for the formation of the settlement of the land revenue.

V. The Governor General in Council reserves to himself the power of fixing the periods, for which the settlement of the land revenue shall from time to time be formed in the Deyra Doon, according as local circumstances may appear to require, adhering however as nearly as practicable, to the principles established for the settlement generally of the lands in the territories ordinarily denominated the ceded and conquered provinces.

## A. D. 1817. REGULATION V.

**A REGULATION** for declaring the rights of government and of individuals with respect to hidden treasure; and for prescribing the rules to be observed on discovery of such treasure.—**PASSED** by the Governor General in Council on the 28th of February 1817; corresponding with the 18th Phaugun 1223 Bengal era; the 26th Phaugun 1224 Fusly; the 19th Phaugun 1224 Willaity; the 12th Phaugun 1873 Sumbut; and the 11th Rubee-us-sanee 1232 Higeree.

**W**HEREAS the provisions of the Mahommedan and Hindoo laws respecting the discovery of hidden treasure differ materially; and whereas it is deemed expedient that an uniform principle should be established for the guidance of persons by whom hidden treasure may be discovered, the following provisions are enacted, to be in force as soon as promulgated throughout the provinces immediately subordinate to the presidency of Fort William.

Preamble.

II. Whenever any hidden treasure, consisting of gold or silver coin, or bullion, or of precious stones, or other valuable property, may be found buried in the earth, or otherwise concealed within any part of the territory subject to this presidency; and after due notification, the owner thereof may not be discoverable; such hidden treasure shall become the property of the person or persons who may have found the same, provided it shall not exceed in amount or value, the sum of one lack of sicca rupees; and provided the finder or finders shall have conformed to the rules prescribed in this Regulation.

Hidden treasure under what circumstances and conditions to become the property of the finder.

III. Whenever any person may find hidden treasure, of the description stated in the foregoing section, he shall give immediate notice thereof to the judge of the zillah or city in which the treasure may have been found; and shall at the same time deposit the treasure in the zillah or city court, with an exact inventory thereof.

The finder how to proceed on the discovery of hidden treasure.

IV. The zillah or city judge receiving a deposit as above directed, shall return a receipt for the treasure deposited, after causing the same to be carefully compared with the inventory; and shall issue a public notification in the current languages of the country, to be published and affixed in his own cutcherry, and in the cutcherry of the collector of the district, requiring all persons who may have any claim of right to the treasure in deposit, to attend in person, or by vakeel, and prove their title thereto, within six months from the date of the notice.

Duty of the zillah or city judges in such cases.

Notification to be issued, and period allowed to claimants to bring forward their claims.

V. It shall be the duty of the collectors of land revenue acting under the instructions of the Board of Commissioners, or the Commissioner in Behar and Benares, or the

Collectors of land revenue to bring forward any claim of right which

## A. D. 1817. REGULATION V.

Government may appear to possess to such treasure.

Summary inquiry to be instituted by the judges of zillah and city courts.

How judgment to be awarded by the judge.

What judgment to be passed by the judge in cases in which no claim shall be preferred either by government or by individuals, and the amount may not exceed one lack of sicca rupees.

Decision to be passed by the judge in each in which the amount of treasure shall exceed one lack of sicca rupees, and no claim of right thereto be established.

Persons discovering hidden treasure who shall neglect to give due notice within one month, shall be considered to have forfeited all right and title to the treasure and compensation.

The summary decisions of the judges of the zillah and city courts shall be open to a summary appeal to the provincial courts.

the Board of Revenue, to bring forward and to support, in conformity with the foregoing provision, any claim of right which government may appear to possess to such treasure. In the event of any claim of right being preferred either on the part of individuals or of government, pursuant to the prescribed notification, the judge shall institute a summary inquiry into the claim preferred; and if the title of government or other person so claiming the treasure in deposit, or any part thereof, be clearly established, he shall adjudge the same accordingly; subject to reimbursement of all expense incurred by the finder of the treasure, as well as to such compensation for the discovery of it as may, in each case, appear just and reasonable.

VI. If no claim of right be preferred either by government or by an individual within the period limited by the notification directed in Section IV, of this Regulation, or if the claim or claims so preferred, shall not on a summary inquiry appear to be well founded; and the amount or value of the hidden treasure found at the same time, or in the same place, shall not exceed one lack of sicca rupees; the zillah or city judge shall adjudge the same to the person or persons who may have discovered the treasure, and deposited it in the zillah or city court, as required by Section II; subject only to the actual expense which may have been incurred in adopting the measures prescribed by this Regulation.

VII. If the amount or value of any hidden treasure found at the same time, or in the same place, shall exceed one lack of sicca rupees, and no claim of right thereto be established, judgment shall be given, according to the preceding section, in favor of the person or persons who may have discovered and deposited the treasure, to the amount of one lack of sicca rupees; and the excess above that sum shall be declared at the disposal of government.

VIII. If any person discovering hidden treasure of the description specified in Section II, of this Regulation, shall not, within one month after finding the same, give notice to the judge of the zillah or city court, in conformity with Section IV, and make the deposit thereby required, he shall be considered to have forfeited all right and title to the treasure; as well as all claim to a reimbursement of expense, compensation or reward, under the provisions of this Regulation; and the treasure so clandestinely withheld from public investigation, shall, on a summary suit by any subsequent claimant of right, and proof of a just title thereto, be adjudged to the legal owner with interest and costs; or if no private claim be established, shall on the application of the vakeel of government, under instructions from the Board of Revenue, or the Board of Commissioners in the western provinces, or the Commissioner in Behar and Benares, be liable to confiscation to government.

IX. The summary decisions of the judges of the zillah or city courts, which may be passed under this Regulation, shall be open to a summary appeal to the provincial courts, under the general rules in force relative to summary appeals.

## **A. D. 1817. REGULATION V.**

**X.** The decisions of two or more judges of the provincial courts, on such appeals, shall be final ; unless the court of Sudder Dewanny Adawlut should, on the face of the decree, or on inspection of any documents exhibited with it, see just and sufficient ground for admitting a second summary appeal to that court, in which case only such further appeal may be admitted, and proceeded upon under the general rules in force for summary appeals.

The decision of two or more judges of the provincial courts on such appeals, to be final.

Provision for admitting a second summary appeal before the Sudder Dewanny Adawlut.





## A. D. 1817. REGULATION VI.

**A REGULATION** *to explain the purport and intent of the provision contained in Section II, Regulation XXIV, 1803.*—**PASSED** by the Governor General in Council, on the 11th of April 1817, corresponding with the 30th Chytc 1223 Bengal era ; the 10th Bysack 1224 Fusly ; the 1st Bysack 1224 Willaity ; the 10th Bysack 1874 Sumbut ; and the 23d Jumadee-ul-uwal 1232 Higeree.

**W**HEREAS doubts have been entertained with regard to the true purport and intent of the provision contained in Section II, Regulation XXIV, 1803, and it is expedient to remove those doubts by a declaratory enactment, the following rules have been passed, to be in force throughout the provinces in which Regulation XXIV, 1803, has operation.

Preamble.

**II. First.** It is hereby declared, that the provision contained in Section II, Regulation XXIV, 1803, was not intended to authorize the courts of civil justice to take cognizance of claims to any pensions of the nature alluded to in that section, the original title to which had not been previously recognized and confirmed by the revenue authorities or by government, to whom the power of investigating and finally deciding on such original titles, is exclusively reserved.

Explanation of the true purport and intent of Section II, Regulation XXIV, 1803.

**Second.** It was only intended by Section II, Regulation XXIV, 1803; that pensions of the nature described in that section, which had been or might be regularly sanctioned and confirmed by the proper revenue authorities, or by government, should not be liable to resumption on the death of the persons authorized to receive them ; but should be regarded as property, descending to the heirs of the present and future receivers, and be liable to be sued for and inherited in the same manner as other property.



## A. D. 1817. REGULATION VII.

**A REGULATION** for modifying that part of Section IV, Regulation XXII, 1816, which declares that the allowances of choukeedars of police shall not exceed three rupees per mensem.—**PASSED** by the Governor General in Council, on the 18th of April 1817, corresponding with the 7th Bysack 1224 Bengal era ; the 17th Bysack 1224 Fusly ; the 8th Bysack 1224 Willaity ; the 2d Bysack 1874 Sumbut ; and the 30th Jumadce-ul-uwal 1232 Higerree.

**WHEREAS** the rate of wages to be granted to choukeedars of police entertained under the provisions of Regulation XXII, 1816, has been limited by Section IV, of that Regulation to rupees three per mensem, and whereas it may in some districts be expedient that a higher allowance than that above specified should be granted to such choukeedars, the following rules have been enacted, to be in force from the date of this Regulation throughout the territories immediately dependent on the presidency of Fort William.

Preamble.

**II. First.** The Governor General in Council is hereby declared competent to authorize the payment to choukeedars of police of a higher allowance than that specified in Section IV, Regulation XXII, 1816, provided that such allowance shall in no instance exceed four rupees per mensem.

Section IV. Regulation XXII, 1816, modified.

**Second.** It shall be the duty of the superintendants of police to bring under the notice of government, all instances in which it may appear expedient, on a consideration of the usual wages of labor or of other special or local circumstances, that the choukeedars entertained under the provisions of Regulation XXII, 1816, should receive a higher allowance than three rupees per mensem.

Duty of the superintendants of police.



## A. D. 1817. REGULATION VIII.

A REGULATION for modifying certain parts of Regulation XVII, 1813.—PASSED by the Governor General in Council on the 2d May 1817, corresponding with the 21st Bysaak 1224 Bengal era ; the 1st Jayte 1224 Fusly ; the 22d Bysaak 1224 Willaity ; the 1st Jayte 1874 Sunbut ; and the 14th Jumadee-us-sane 1232 Higeer.

**W**HEREAS by Section VII, Regulation XVII, 1813, the general controul over the proceedings of all commissions constituted under the provisions of Section VI, of that Regulation is vested in the Sudder Dewanny Adawlut, the Board of Revenue, the Board of Commissioners and the Board of Trade respectively (according as the person accused may be under one or other of those authorities;) and whereas by Sections XIII, and XIV, of the Regulation aforesaid, it is provided that the Commissioner or Commissioners so appointed shall transmit to one or other of the said authorities, as the case may be, the whole of the proceedings held and documents received, together with a summary of the pleading and evidence, and his or their opinion on the case, and that the Sudder Dewanny Adawlut or the Board to which the case may belong, shall submit the whole of the proceedings and documents received by them to the Governor General in Council, with their opinion whether any and what facts, charged against the party, appear to have been established; and whereas, on some occasions an adherence to the above form of proceeding may be productive of serious delay in the final determination of the case, and of consequent distress to the accused party, as well as of inconvenience to the public service; the following rules have been enacted, in modification of the provisions abovementioned, and of such part of Section XV, of the Regulation aforesaid, as refers to the said provisions.

II. Whenever a special commission shall be appointed under the provisions of Regulation XVII. 1813, for the investigation of charges exhibited against a public officer, the Governor General in Council will determine whether the commission, so appointed, shall be placed under the controul of any of the authorities above specified in the manner prescribed in Sections VII, XIII, and XIV, of the Regulation aforesaid, or shall act immediately under the authority of government, and all commissions, appointed as aforesaid, shall be guided by the instructions which they may receive in this behalf from the Governor General in Council.

III. When the commission shall be instructed to act immediately under the authority of government, it shall submit directly to the Governor General in Council, (without the intervention of any of the authorities above specified,) the proceedings held,

Preamble

The controul over the proceedings of the commission appointed under Regulation XVII, 1813, by whom to be exercised.

The commission when instructed to act immediately under the authority of government shall submit

## A. D. 1817. REGULATION VIII.

mit their proceedings directly to the Governor General in Council.

held, and documents received on the occasion, accompanied by translations of papers not in the English language, together with a summary of the pleadings and evidence, and their opinion on the merits of the case, in like manner as they are now required to submit the same to the Sudder Dewanny Adawlut, and the Board of Revenue, Board of Commissioners, and Board of Trade respectively, and the Governor General in Council, after receiving the report and proceedings submitted by the Commissioners, will proceed in the case, in the same manner as if the said proceedings and report had been submitted by the Sudder Dewanny Adawlut, or one of the said Boards: Provided however, that if, in any case, on consideration of the proceedings and report of the Commissioners, it shall appear to the Governor General in Council necessary, that further evidence be taken, or that a further explanation be given by the Commissioners, of their sentiments on any point connected with the case investigated by them, it shall be competent to the Governor General in Council to direct the Commissioners accordingly, and the Commissioners shall be authorized and required to take such further evidence, as far as the same may be attainable, and to furnish such further explanation as may be required.

And to apply to government for any instructions which they may require.

IV. When a commission may be instructed as aforesaid to act under the immediate authority of government, such commission shall apply to government for any instructions which they may require in the execution of the duty entrusted to them, for which provision may not have been expressly made by Regulation XVII, 1813; or any other Regulation; and the Governor General in Council will pass such orders on the subject, as may appear consonant to the general principles of equity and most conducive to the purposes of substantial justice. And in any case in which any doubt or difficulty may arise in the conduct of the investigation, for which it may appear advisable to make provision by a general Regulation, the Commissioners shall be competent to prepare the draft of a Regulation for the purpose, and to submit it to the Governor General in Council for his consideration and orders.

Upon questions regarding the intent and meaning of any Regulations, the Commissioners to address themselves to the court of Sudder Dewanny Adawlut, and to be guided by their determination.

V. Provided however, that in any case wherein the Commissioners shall entertain doubts of the intent and meaning of any provisions of the Regulations which are or may be in force, they shall submit the point to the court of Sudder Dewanny Adawlut for their consideration, and shall be guided by the determination passed by that court.

The commission in no case to consist of less than two persons, one of whom to be selected from among the officers in the judicial department.

VI. Provided further, that whenever government shall determine, that the commission to be appointed under the provisions of the Regulation abovementioned, shall not be placed under the controul of the Sudder Dewanny Adawlut, the Board of Revenue, the Board of Commissioners, or the Board of Trade, such commission shall, in no case, consist of less than two persons, one of whom at least shall, in all practicable cases, be selected from among the officers in the judicial department of the service.

## A. D. 1817. REGULATION IX.

**A REGULATION** for rescinding *Regulation V, 1815.*—PASSED by the *Vice-President* in Council on the 22d of July 1817, corresponding with the 8th Sawun 1224 Bengal Era; the 24th Sawun 1224 Fusly; the 9th Sawun 1224 Willaity; the 9th Sawun 1874 Sumbut; and the 7th Rumzaun 1232 Higeree.

**T**HE objects contemplated by government in enacting Regulation V, 1815, having been successfully accomplished, by the restoration of public order and tranquillity in purgunnah Bogree, in zillah Midnapore, and by the apprehension and conviction on trial by the court of circuit and Nizamut Adawlut of the criminals, principally concerned in resisting the authority of government, and in the commission of acts of violence and outrage, the necessity which existed for suspending the operation of the general Regulations within the limits of that purgunnah, no longer exists; the Vice President in Council has accordingly been pleased to enact the following rule, to take effect from the date of this Regulation.

II. Regulation V, 1815, is hereby rescinded.

Preamble.

Regulation V, 1815, rescinded.





## A. D. 1817. REGULATION X.

**A REGULATION** for the trial of persons charged with the commission of certain heinous offences in Kumaon and other tracts of territory ceded to the Honorable the East India Company by the Rajah of Nepaul, and subject to the British Government.—PASSED by the Vice President in Council on the 22d July 1817; corresponding with the 8th Sawun 1224 Bengal era; the 24th Sawun 1224 Fusly, the 9th Sawun 1224 Willaity; the 9th Sawun 1874 Sumbut; and the 7th Ramzaun 1232 Higeree.

**O**F the territories ceded to the British Government by the Rajah of Nepaul, under the treaty of peace concluded on the 2d day of December 1815, many portions have been since restored to the native chiefs, to whose authority they were formerly subject, or have been transferred to the independent authority of other native chieftains or powers. The portions of territory ceded by the Rajah of Nepaul, which have been retained under the authority and dominion of the British Government, are as follow:

Preamble.

Vizt.

- 1st. The tract of country called Deyra Doon, heretofore forming a part of Gurhwal.
- 2nd. The province of Kumaon.
- 3d. Jounsar, Bawur, Poondur and Sundokh, and other small tracts of country situated between the rivers Jumna and Sutlege.

By the provisions of Regulation IV, 1817, the tract of country denominated Deyra Doon, has been formally annexed to the district of Seharunpore, and the Laws and Regulations in force in the latter district, have, with certain exceptions, been extended to the Deyra Doon: local circumstances however have rendered it inexpedient that a similar arrangement should at present be adopted in the province of Kumaon, or in the reserved tracts of country situated between the rivers Jumna and Sutlege. The administration of the police, and of civil and criminal justice with the management of the revenues, as well in Kumaon, as in the several places last mentioned, is conducted by British officers, under instructions issued for their guidance by the Governor General in Council. Embarrassment however having been experienced in the several places above-mentioned, from the want of a suitable tribunal for the trial of prisoners charged with offences of a heinous nature, the Vice-President in Council, with a view to provide for the due and deliberate investigation of charges of that nature, has been pleased to enact the following rules, to be in force from the period of their promulgation.

**II.** The British officers who now are, or hereafter may be invested with the charge and superintendence of the police, and with the administration of criminal justice in

The British officers in charge of Kumaon and other tracts of country ceded by the Rajah of Ne-

the

## A. D. 1817. REGULATION X.

Paul, not toward punishment against offenders charged with certain crimes of a heinous nature.

the province of Kumaon; or in the several reserved tracts of territory situated between the rivers Jamna and Sutlege, are hereby prohibited from awarding punishment against any persons charged before them with having been concerned, either as principals, or as accomplices, in the commission of the following offences, viz. murder or any species of homicide, not manifestly accidental or justifiable; robbery by open violence, as defined in Section III, Regulation LIII, 1803; violent affrays attended with serious casualties or circumstances of aggravation; treason, or rebellion against the State.

Such offenders how to be proceeded against.

III. If any person, subject to the jurisdiction of the British officers above alluded to, whether from local residence, or from the perpetration of a criminal act within the limits of the British territory under their respective superintendence, shall, on due and careful investigation, appear to have been concerned either as a principal or as an accomplice in the commission of any of the crimes abovementioned, such person shall be kept in close custody, and shall be committed to take his trial before a commissioner, to be nominated and appointed for that purpose by the Governor General in Council.

Commissioner to be appointed by Government.

IV. It shall be the duty of the local officer, immediately on making the commitment, to report the circumstance to the Governor General in Council, who will take the necessary measures for nominating an experienced judicial officer as commissioner to hold trials of this nature, at such time and place as may appear proper, in each instance, or at such stated periods as may be found convenient.

Powers vested in the Commissioner.

V. In the conduct of the trial, the commissioner will exercise the same powers as are vested in judges of circuit, and will be guided by the spirit and principles of the Regulations in force in the ceded and conquered provinces; provided however, that it shall not be necessary that any law officer should attend the trial, or that any *futwa* should be required in such cases.

Commissioner authorized to release the prisoner if not convicted.

VI. If the commissioner should be of opinion that the crime charged against the prisoner is not established by the evidence, he shall issue his warrant for the release of the prisoner.

Commissioner to refer the case to the court of Nizamut Adawlut, if the charge be proved.

VII. If the commissioner shall consider the crime charged against the prisoner to be established, he shall either refer the case for the final sentence of the court of Nizamut Adawlut, or, if the case be within the competence of judges of circuit, under the Regulations, in force in the ceded and conquered provinces, he shall issue his warrant for the punishment of the criminal.

With a report and the proceedings on the case.

VIII. If the case shall be referred to the Nizamut Adawlut, it shall be the duty of the commissioner to forward to that court, a full report of the case, together with his own proceedings, and those of the officer by whom the commitment may have been made.

Court of Nizamut Adawlut to pass their final sentence.

IX. On receipt of the proceedings, the court of Nizamut Adawlut will, without requiring any *futwa* from their law officers, pass such sentence or order as, on due consideration,

## A. D. 1817. REGULATION X.

consideration, they may deem proper and consistent with the spirit and principles of the Regulations in force in the ceded and conquered provinces.

X. The sentence of the Nizamut Adawlut, whether for the release or punishment of the prisoners, shall be issued through the channel of the commissioner who may have held the trial, and shall be duly enforced by the local British officer by whom the commitment may have been made, or who may at the time be entrusted with the management of the local police.

Sentence how to be carried into effect.

XI. First. Whenever a native subject of the British Government, charged with having been concerned in the commission of a criminal offence within the territories of any independent state, or chieftain, situated in the vicinity of Kumaon, or of the reserved tracts of country between the Jumna and Sutlege rivers, shall be apprehended by, or shall be delivered up to, the British officers invested with the charge of the police in those places respectively; the officers in question shall be deemed competent to investigate the charge, and to release or punish the accused under the general powers vested in them by the Governor General in Council.

In what cases the local officers may take cognizance of crimes committed within the territories of independent states or chieftains.

Second. Provided however, that if the charge shall be of the nature of any of those described in Section II, of this Regulation, the local officers shall proceed in the manner directed in Sections III, and IV, of this Regulation, and the commissioner who may be appointed to hold the trial, as well as the court of Nizamut Adawlut, shall in such cases be guided by the provisions of Sections V, VI, VII, VIII, IX, and X, of this Regulation.

The rules contained in certain sections of this Regulation to be considered applicable to such cases.

XII. It shall not be competent to the local officers intrusted with the administration of criminal justice in Kumaon, and in the several reserved tracts of territory situated between the rivers Jumna and Sutlege, or to any commissioners who may be appointed under this Regulation, or to the Nizamut Adawlut, to take cognizance of any crime or offence which may have been committed in any part of the tracts of country above adverted to, previously to the 15th May 1815, being the date of the convention by which they were surrendered to the Honorable the East India Company.

Crimes committed previously to the 15th May 1815, not cognizable by the British officers.

XIII. No part of the Regulations in force in the ceded and conquered provinces, by which the punishment of the crimes specified in Section II, of this Regulation, may be enhanced beyond the punishment ordinarily inflicted for such crimes, according to the former laws and usages in force in those tracts of country, shall be considered applicable to persons convicted of having committed those crimes previously to the promulgation of this Regulation.

Sentence how to be regulated with regard to offences committed between the 15th May 1815 and the period of the promulgation of this Regulation.

XIV. In cases however in which the penalties established by the Regulations in force in the ceded and conquered provinces, for murder or other species of homicide; robbery by open violence; violent affrays attended with serious casualties or circumstances of aggravation, or for treason and rebellion against the State, may appear to be more lenient than those to which the offenders would have been subjected under

The preceding note likewise applicable to this section.

the

## **A. D. 1817. REGULATION X.**

\* the pre-existing laws and usages of Kumaon, and of the reserved tracts of territory situated between the rivers Jumna and Sutlege, such offenders shall nevertheless have the benefit of the provisions now established, supposing the offences to have been committed between the 15th May 1815, and the period of the promulgation of this Regulation.

## A. D. 1817. REGULATION XI.

**A REGULATION** for modifying certain parts of Regulations XIX, and XXXVII, 1793; and Regulations XLI, and XLII, 1795.—**PASSED** by the Vice-President in Council, on the 29th July 1817; corresponding with the 15th Sawun 1224 Bengal era; the 1st Sawun 1224 Fusly; the 16th Sawun 1224 Willaity; the 1st Sawun 1274 Sumbut; and the 14th Shabun 1232 Higeree.

**WHEREAS** under the rules contained in Regulations XIX, and XXXVII, 1793, and Regulations XLI, and XLII, 1795, the claims of government to resume the revenue of lands held free of assessment, under illegal or invalid tenures, are only cognizable in the courts of judicature, and great delays have occurred in the decision of suits, brought by collectors for the recovery of the public dues, from such lands;—and whereas the provision contained in Sections III, IV, V, VI, VII, VIII, and IX, Regulation VIII, 1811, and the corresponding sections of Regulation V, 1813, by which the decision of such cases, in the ceded and conquered provinces, is, in the first instance, vested with the revenue authorities, have been found productive of great advantage, both in facilitating the assertion of the just rights of government in cases in which the public revenue has been unjustly withheld, and in relieving individuals holding lands free of assessment, by valid titles, from the disquiet of litigation;—and whereas it appears advisable to extend the said provisions to the several districts, placed under the authority of the Commissioner in Behar and Benares;—the following rules have therefore been enacted, to be in force from the date of their enactment, within the provinces of Behar and Benares, and in the districts of Bhaugulpore and Purneah.

**II.** Sections XII, XIII, XIV, XVI, and XIX, Regulation XIX, and Sections VII, VIII, IX, XI, and XIV, Regulation XXXVII, 1793, in as far as they are applicable to the province of Behar, and the districts of Bhaugulpore and Purneah; and Sections XII, XIII, XIV, XVI, and XIX, Regulation XLI, and Sections VII, VIII, IX, XI, and XIV, Regulation XLII, 1795, are hereby rescinded; and the provisions contained in Sections III, IV, V, VI, VII, VIII, and IX, Regulation V, 1813, are hereby extended to the provinces of Behar and Benares, and the districts of Bhaugulpore and Purneah.

**III.** The powers and duties vested by the provisions of the said Regulation in the Board of Revenue, shall of course be held and exercised by the Commissioner in Behar and Benares, or other officer exercising the powers of the Board of Revenue in the provinces and districts abovementioned.

Preamble.

Parts of the existing Regulations applicable to the provinces of Behar and Benares, and to the districts of Bhaugulpore and Purneah rescinded: and certain provisions extended to those provinces and districts.

What powers and duties are to be exercised by the Commissioner in Behar and Benares.

## A. D. 1817. REGULATION XI.

Certain suits preferred by the collectors in the provinces of Behar and Benares under the rules in force, to be withdrawn, and the investigation of them to proceed de novo.

IV. All suits which may have been preferred by the collectors in the provinces of Behar and Benares, and in the districts of Bhaugulpore and Purneah, for the resumption of the public revenue, under the provisions of Regulations XIX, and XXXV II, 1793, and Regulations XLI, and XLII, 1795, shall be withdrawn; and the revenue authorities shall proceed to the investigation and decision of the several cases, in the same manner and with the same powers, as if no suit had ever been preferred.

## A. D. 1817. REGULATION XII.

**A REGULATION** for securing the better administration of the office of putwarry in the Ceded and Conquered Provinces, the Provinces of Behar and Benares, the district of Cuttack, the Purgunnah of Puttaspore and its dependencies.—PASSED by the Vice-President in Council, on the 12th August 1817; corresponding with the 29th Sawun 1224 Bengal era; the 15th Sawun 1224 Fusly; the 30th Sawun 1224 Willaites; the 15th Sawun 1874 Sumbut; and the 28th Ramzan 1232 Higeree.

**T**HE existing Regulations regarding putwarries, have been found to be in many respects defective, and great difficulties and delays have consequently been experienced in the division of estates, the adjustment of the revenue to be assessed on their respective shares, the investigation of summary and other suits for rents, the decision of disputes relating to the limits of estates, and villages, and the execution of decrees of the courts of judicature, in regard to the possession and property of land; the reform of the office appears therefore to be an object of the highest importance; but as for the full attainment of that object, the establishment of purgunnah canoongoes is also requisite, it is deemed advisable to confine the operation of the rules to be enacted for the above purpose, to those parts of the country in which canoongoes are already established, or in which arrangements are in progress for the revival and organization of that office.—The following rules have therefore been enacted, to be in force from the date of their promulgation, throughout the ceded and conquered provinces, the provinces of Behar and Benares, the district of Cuttack, the purgunnah of Puttaspore, and the several purgunnahs dependent on it.

Preamble.

**II.** Section LXII, Regulation VIII, 1793, Section III, Regulation IV, 1794, Section IX, Regulation XXVII, 1795, and Regulation XXIX, 1803, and such parts of Clause IV, Section XXIII, Regulation VII, 1799, Section XXV, Regulation V, 1800, Section VIII, Regulation I, 1801, as refer to the appointment of putwarries, are hereby rescinded in so far as regards the abovementioned divisions of the country.

Such of the Regulations in force as relate to the appointment of putwarries in certain divisions of the country, rescinded.

**III.** Every village paying or liable to pay the public revenue, shall have a separate putwarry, except in cases where the Board of Revenue or other authority exercising the power of that Board shall, in consideration of former usage or other sufficient cause, authorize one putwarry to do the duty of two or more villages, or direct two or more putwarries to be established in a single village.

Every village to have a separate putwarry, unless where otherwise directed by the superintending revenue authorities.

**IV.** All persons at present holding the office of putwarry, are to be continued in their situations, subject to removal under the rules hereinafter prescribed: And

Putwarries now in office to be continued in their situations, subject to removal under the rules

all



## A. D. 1817. REGULATION XII.

prescribed by this Regulation.

Zemindars within a limited period to furnish the collectors with the names of villages and of the putwarries attached to them.

How zemindars or landholders are to proceed in the nomination of putwarries for villages where none have been established.

Register of putwarries to be prepared by the collectors.

Vacancies in the office of putwarry to be filled up on the nomination of the zemindar, &c.

Which is to be made within one month after the vacancy has taken place.

Rules to be observed by the zemindar, &c. in the nomination of putwarries.

How the collector is to proceed on receiving the nomination of a putwarry.

Rules regarding putwarries in joint and undivided estates.

all zemindars or other proprietors of any village or villages, paying revenue to government, or farmers engaging with government for the public revenue, shall, within three months from the promulgation of this Regulation, transmit to the collector of the district, a statement shewing the name or names of such village and villages, with the name or names of the putwarry or putwarries of such village or villages.

V. In like manner where any village or villages paying revenue to government, shall at present have no putwarry established therein, the zemindar or other landholder or farmer of such village or villages, engaging with government for the public revenue, shall proceed to nominate a putwarry or putwarries for such village or villages, and shall report such nomination to the collector of the district within three months of the promulgation of this Regulation.

VI. The collectors shall, as soon as practicable, prepare a register of the putwarries in their respective districts, shewing the name of each individual, and the village or villages in which he officiates.

VII. Whenever a vacancy may occur in the office of putwarry, such vacancy shall be filled on the nomination of the zemindar, or other landholder or farmer, engaging with government for the public revenue, who is hereby enjoined to report such nomination to the collector of the district, within one month after the vacancy has taken place,—provided however that in such nomination, the zemindar or other landholder or farmer shall be generally guided by the custom which may heretofore have prevailed in the village, in respect to the succession of putwarries, and shall not deviate therefrom, without previously obtaining the sanction of the collector; and it shall be the duty of the collectors carefully to see that this rule is observed, and particularly that the just rights of the inferior putteedars, or sharers in joint undivided estates, and of dependent talookdars, or other under-tenants of the lands, as connected with the appointment of putwarries are duly maintained.

VIII. On receiving the report of the nomination of a putwarry, as directed to be made in the foregoing section, the collector is to insert the name of the party in the register of putwarries for his district, unless he shall see good and sufficient ground to object to the person so nominated as disqualified for the office,—in which case, he is immediately to submit his objections to the Board of Revenue, the Board of Commissioners, or the Commissioner in Behar and Benares, as the case may be, and the Board, or Commissioner, will decide whether the zemindar or farmer shall be called upon to nominate another person, or pass such other order on the question, as may appear just and right.

IX. The proprietors of joint and undivided estates engaging jointly for the public revenue, shall be considered jointly and severally bound to furnish the collector with the statement required in Section IV, and to nominate a putwarry in the mode

## **A. D. 1817. REGULATION XII.**

prescribed in Sections V and VII, of this Regulation, or to shew sufficient cause for their failing to do so.

**X.** In estates held khas, and in estates under the superintendence of the Court of Wards, the putwarry shall be appointed by the collector.

*Rules regarding putwarries in khas estates.*

**XI.** Should any zemindar or other proprietor or farmer, refuse or omit to furnish the statement required by Section IV, or to nominate a putwarry in the cases provided for in Sections V and VII, of this Regulation, within the time prescribed in those sections, and shall fail to shew good cause for such neglect or failure, it shall be competent to the collector, with the approval of the Board of Revenue, the Board of Commissioners, or the Commissioner in Behar and Benares, as the case may be, to levy a daily fine upon him, until a putwarry is nominated, or with such approval, himself to nominate a qualified person for the office.

*Penalty in cases of refusal or omission to comply with the prescribed rules.*

**XII.** Whenever a zemindar or farmer engaging with government for the public revenue, may wish to remove a putwarry from office, he is to state his reasons for so doing to the collector of the district, who, if they appear good and sufficient, will authorize the removal of the putwarry, but not otherwise.

*Zemindars how to proceed whenever they may wish to remove a putwarry from office.*

**XIII.** Any zemindar or other landholder or farmer of land, removing a putwarry from office, without the authority of the collector, obtained in the mode prescribed in the preceding section, shall be punished by a fine not exceeding fifty rupees for the first offence, and one hundred rupees for the second offence; and if it should appear on investigation by the collector, that the removal was unjust, and without sufficient cause, the said zemindar or other landholder or farmer of land, shall be further subject to a daily fine, with the approbation of the Board of Revenue, the Board of Commissioners, or the Commissioner in Behar and Benares, but not otherwise, until the putwarry be restored.

*Penalties for removing a putwarry from office without authority.*

**XIV.** Whenever the inferior putteedars or sharers, or the ryots or under-tenants of a village, may petition the collector for the removal of a putwarry, the collector shall direct such removal, and shall call upon the zemindar or other landholder or farmer of land engaging with government for the public revenue, to appoint another putwarry, provided the reasons adduced for praying such removal, appear to the collector good and sufficient, but not otherwise.

*Putwarries may be removed on sufficient grounds on the representation of the under-tenants.*

**XV.** Whenever a collector shall see ground to desire the removal of a putwarry for neglect of duty, or other sufficient cause, he is to state his reasons to the Board of Revenue, the Board of Commissioners, or the Commissioner in Behar and Benares, as the case may be, who will authorize the removal or not, as may seem proper.

*Rule of proceeding on occasions when the collector may desire the removal of a putwarry.*

**XVI.** The duties of the putwarry shall be,

*Specification of duties to be performed by the putwarries.*

1st—To keep such registers and accounts relating to the village or villages to which he is appointed, in such manner and form as has heretofore been the custom,

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or in such other mode as may be hereafter prescribed by the Board of Revenue, the Board of Commissioners, or the Commissioner in Behar and Benares, together with such further registers and accounts as may be directed by those authorities respectively.

2d—To prepare and deliver to the canoongoe of the purgunnah, at the expiration of every six months, a complete copy of the aforesaid accounts, shewing distinctly the produce of the khurreef and rubbee harvests.

3d—To perform all other duties and services, which it has been customary for him to execute.

The superintending revenue authorities to determine on the mode of transmitting and recording the putwarries' accounts.

XVII. The Board of Revenue, Board of Commissioners, or Commissioner in Behar and Benares, will determine on the mode in which the accounts rendered by the putwarry to the canoongoe, shall be brought forward by the latter, and recorded in the office of the collectors.

Rules for the payment of putwarries, and for the adjustment of their allowances in certain cases.

XVIII. The putwarry is to be paid hereafter in the same mode as he is now paid, whether in money or in grain, or in land, or in any other legal manner whatsoever, but it shall be the duty of the several collectors to complete an account of the mode in which such payment is made, in the different purgunnahs or other local division of their districts, and to submit the result of their researches to the Board of Revenue, or other authority exercising the powers of that board; and it shall be competent to the Board of Revenue, or other authority aforesaid, with the sanction of the Governor General in Council, to increase or reduce the amount of remuneration paid to the putwarries, and to alter or modify the mode of its payment, in any case in which sufficient cause for the adoption of such a measure shall exist.

Remuneration to be paid to putwarries in villages where none are now appointed.

XIX. Where no putwarry has hitherto been appointed, the amount of the remuneration to the putwarry who may be appointed under this Regulation, and the mode of its payment, shall be regulated by the collector, with reference to the usage of the adjoining villages.

Rule of proceeding in cases where payment of the established remuneration to a putwarry may be refused.

XX. If the remuneration which a putwarry has heretofore regularly received, or which may be assigned to him by the collector, or other competent revenue authority, be denied to him by the parties who have hitherto paid it, or who may have been directed to pay it by the said authority, he is at liberty to complain against the person so withholding his dues to the collector, who will proceed to an immediate investigation of the facts, and decide according to the usage of the village; and the collector is hereby authorized to compel payment of the amount due to the putwarry, and to fine the offending party according to his situation and circumstances in life, provided always that the fine in no instance exceed fifty rupees.

Collector empowered to compel payment and to fine the offending party.

The local usage of the purgunnah to be reported by the purgunnah canoongoe.

XXI. In all cases in which the decision of the collector is to be governed by usage, it shall be made an invariable rule, to insert in the original proceedings on the case, the attested report of the canoongoes of the purgunnah, as to the custom or usage in reference.

## A. D. 1817. REGULATION XII.

**XXII.** Collectors of land revenue are hereby empowered to summon the putwarry of any village or villages within their respective districts, whenever there may be occasion for his attendance, on any matter connected with the duties of his office, and to require him to produce all accounts relating to the lands, produce, rents, collections and charges of the village or villages, the accounts of which may be kept by him; and to examine him on oath, to the truth of such accounts, and on any other matters relating to such accounts, or regarding the lands, produce, rents, collections and charges of the village or villages to which the said putwarry may belong.—When a collector shall require the attendance of a putwarry, for the purpose above stated, he is to serve such putwarry with a written notice under his official seal and signature, stating the purpose for which his attendance is required, and the papers (if any) which he is to bring with him.

Collector empowered to summon a putwarry when necessary.

And to examine him on oath to the truth of his accounts.

Form of the notice to be issued on such occasions.

**XXIII.** If any putwarry shall neglect or omit to produce his original accounts on the requisition of a collector, or to give his evidence respecting them, the collector is hereby authorized and empowered to cause the said putwarry to be apprehended, and to order him to be confined in the dewanny jail of the district until he produce his accounts, or shew sufficient cause for not producing them. In such cases the putwarry shall be sent by the collector with a roobukaree to the judge of the city or zillah, stating the purport of the order passed against him, and the judge shall, on those grounds, commit the putwarry to jail, and detain him until he produce the accounts, or until the collector applies for his release.

Powers vested in the collector to compel the putwarries to produce their accounts.

Process to be observed on such occasions.

**XXIV.** In like manner, putwarries shall produce all accounts relating to the lands, produce, collections and charges of the village or villages, the accounts of which may be kept by them respectively, and furnish every information and explanation that may be required regarding them, whenever they may be required by any court of justice, in any suit that may be depending before the court; and if any putwarry shall neglect or omit to attend with his accounts, when required, for the adjustment of any matter or dispute depending in court, the courts are authorized to order such putwarry to be committed to close custody until he produce the accounts, or shew sufficient cause for not having produced them.

Putwarries to produce their accounts when required by the courts of justice.

Penalty in cases where a putwarry may neglect or omit to attend with his accounts.

**XXV.** In any case in which a collector of land revenue shall have occasion to depute an officer to examine the accounts of any village or villages, he is authorized to require the putwarries to attend such officer, and the collector is further empowered to grant to such officer a commission to swear the several putwarries whose accounts are to be inspected, inserting in the commission the name of each putwarry to be sworn; and if any such putwarry shall neglect or refuse to attend such officer with his accounts, or to give his evidence respecting them, when duly required to do so by a written notice from the collector, the collector is hereby authorized and empowered to proceed against such putwarry, in the same mode as if he had refused or neglected to attend, or to give his evidence before the collector himself.

Collectors empowered to require the attendance of putwarries on officers deputed to examine village accounts.

And to grant a commission to swear putwarries.

Penalty in case a putwarry shall neglect or refuse to attend on a deputed officer.

**XXVI.**

## A. D. 1847. REGULATION XII.

Putwarries giving deliberately a false deposition on oath declared guilty of perjury, and on conviction before a court of circuit liable to the prescribed punishment.

And persons causing or procuring a putwarry to commit perjury, declared punishable as suborners of perjury.

Putwarries falsifying or mutilating the village accounts, liable to the prescribed punishment of forgery.

Certain rules in the existing Regulations declared still in force unless distinctly rescinded, altered, or modified by this Regulation.

Collectors empowered to require the attendance of all native agents of proprietors whose estates are about to be sold, transferred or divided.

And may cause them to be examined on oath touching the account of those lands.

Penalty if such agents shall refuse or neglect to attend on the collector.

Rules contained in Sections XXVI and XXVII,

**XXVI.** Any putwarry giving intentionally and deliberately a false deposition on oath, when examined before a collector, or the officer of a collector duly empowered to take his examination relative to the lands, produce, collections and charges of the village or villages to which he belongs, shall be held and considered guilty of perjury, and shall be liable on conviction before a court of circuit, to the penalties which are or may be prescribed for that offence in the Regulations; and any person causing or procuring a putwarry to commit the offence of perjury as above described, is hereby declared guilty of subornation of perjury, and punishable under the provisions of the Regulations.

**XXVII.** In like manner, any putwarry who shall alter, fabricate, falsify or mutilate the accounts of the village to which he belongs, or shall furnish to the canoon-goe or collector false, fabricated or mutilated copies of those accounts, shall be held and considered guilty of forgery, and shall be liable on conviction before a court of circuit to the penalties which are or may be prescribed for that offence in the Regulations; and any person who shall cause or procure any such forgery, shall be liable to the same penalties, as those convicted of having actually committed the offence.

**XXVIII.** The several rules in the existing Regulations, by which proprietors and farmers of lands sold, ordered to be sold or divided, or under attachment, are required to attend or cause their officers to attend the collectors, or officers deputed by a collector, with the accounts relating to such lands, and by which such landholders and farmers, and their agents, are declared responsible for the fidelity and accuracy of such accounts, are to be held and considered in full force, unless where they may be distinctly rescinded, altered or modified by this Regulation.

**XXIX.** In like manner, whenever an estate, or the portion of an estate may be directed to be disposed of at public sale, or may be transferred by the private act of the proprietor or proprietors, or when an estate may be divided pursuant to a decree of a court of judicature, or at the request of one or more of the proprietors, or when an estate or portion of an estate may be under attachment, the collector shall be authorized to require the attendance of all descriptions of native agents employed by the proprietors or farmers of such estates or farms, in the management of their lands, or keeping the accounts relating to them, and to examine or cause them to be examined on oath, touching such accounts, in the same manner as he is authorized by Sections XXI, and XXV, of this Regulation, to require the attendance and to take or cause to be taken the examination of putwarries; and if such agents shall refuse or neglect to attend the collector or his officer, when their attendance may be duly required, or to give their evidence, the collector is authorized and empowered to proceed against them in the same manner as is prescribed in the case of putwarries refusing or neglecting to attend.

**XXX.** Provided further, that the rules contained in Sections XXVI and XXVII, shall be held and considered applicable to all such native agents employed by proprietors

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prietors or farmers of land, in the management of their estates or farms, or in keeping the accounts relating to them.

**XXXI.** Whenever a collector of land revenue, or other officer vested with the powers of a collector, may in any case connected with his public duty, but not provided for in this or any other Regulation in force, have occasion to require the attendance of a zemindar or other proprietor or farmer of lands, or of the gomashtah or other officer or agent of such proprietor or farmer, with the accounts of such lands, he shall report the circumstance to the Board of Revenue, the Board of Commissioners, or the Commissioner in Behar and Benares, according as he may be subject to one or the other of those authorities, and the Boards, and Commissioner aforesaid, are hereby empowered to grant authority to the collector or other officer aforesaid, to require the attendance of the proprietor or farmer, or of the gomashtah or other officer or agent, with all accounts relating to the lands in their possession or management.

**XXXII.** A written notice shall in such cases be issued by the collector or other officer, to the party whose attendance is required, stating the purpose for which he is summoned, and the papers (if any) which he is to bring with him; and if the proprietor or farmer shall omit or refuse to attend, or cause his officer or agent to attend by the time prescribed in the collector's requisition, with the accounts and information required, the Board of Revenue, Board of Commissioners, and Commissioner in Behar and Benares, (as the case may be,) are authorized and empowered to impose upon him such daily fine, to be payable daily, until he complies with the collector's requisition, as they may think adequate to his situation and circumstances in life, reporting however the amount for the information of the Governor General in Council. The fine when confirmed by government, is to be levied by the same process as is prescribed for the recovery of arrears of revenue.

**XXXIII.** In cases, in which from local or other sufficient causes, it may appear impracticable or inexpedient to cause the appointment in any estate or farm of putwarries, in the mode prescribed in this Regulation, as for instance in certain estates consisting chiefly of hills and forests in the south western frontier, and in very small meahals, the accounts of which are kept by the proprietors themselves, it shall be competent to the Board of Revenue, the Board of Commissioners, or the Commissioner in Behar and Benares, as the case may be, to suspend its operation in such estates, or farms; provided however that in all such cases the person, by whom the village accounts are kept, whether proprietor or farmer, or gomashtah or other officer, shall furnish the canoongoe of the pergunnah with such accounts and statements as the collector, with the approval of the Board, or Commissioner, may direct, and shall be subject to the provisions contained in Sections XXII, XXIII, XXIV, XXV, XXVI, and XXVII, of this Regulation, and the proprietors or others by whom they

declared applicable to all such native agents.

How a collector is to proceed in cases not provided for by this Regulation, whenever he may require the attendance of proprietors or farmers with their accounts.

Collector how to proceed on such occasions.

Penalty for omitting or refusing to attend when summoned.

Under what process such penalty is to be levied.

Provision in cases where the appointment of village putwarries may be considered inexpedient.

## A. D. 1817. REGULATION XII.

they may be employed, shall likewise be subject to the provisions contained in Sections XXVI, and XXVII.

In what cases the courts of justice are prohibited from taking cognizance of the complaints of putwarries.

XXXIV. No court of judicature shall take cognizance of the complaint of a putwarry, against the landholder, or the tenants of a village, for refusing to remunerate his labours, nor shall any court of judicature take cognizance of any complaint against a collector, for, or on account of, any decision passed by him, in virtue of the powers with which he is vested by this Regulation.

Collectors to furnish a periodical report of all judgments passed under Section XX, of this Regulation.

XXXV. It shall be the duty of the collectors, to furnish the Board of Revenue, the Board of Commissioners, or the Commissioner in Behar and Benares, as the case may be, with a periodical report of all judgments passed by them under Section XX, of this Regulation, and such judgments shall be liable to reversal or alteration by the Board, or Commissioner, at any time within six months after the passing the same, but not later.

Such judgments declared liable to reversal or alteration by the Board or Commissioner within six months.

How sums adjudged and fines levied under the provisions of this Regulation, are to be recovered. All fines to be credited to government.

XXXVI. All sums adjudged by the collector in favor of a putwarry, under Section XX, and all fines directed to be levied by this Regulation, shall be recoverable by the same processes as arrears of the public revenue, and all such fines when recovered, shall be carried to the account of government.

## A. D. 1817. REGULATION XIII.

**A REGULATION** for establishing the office of *Canoongoe* in the district of *Midnapore*, and in the *Mehals* subject to the authority of the *Collector of Hidgellee*, and for extending to the said district and *mehals* the operation of *Regulation XII, 1817*.—PASSED by the *Vice President in Council* on the *26th August 1817*; corresponding with the *12th Bhadoon 1224 Bengal era*; the *29th Sawun 1224 Feroz*; the *13th Bhadoon 1224 Willaity*; the *15th Sawun 1274 Sunbut*; and the *12th Surool 1232 Higerce*.

**WHEREAS** by *Regulation V, 1816*, provision is made for the establishment of the office of *canoongoe* in the *purgunnah* of *Puttaspore* and its dependencies; and whereas it has appeared expedient to establish the said office generally throughout the *mehals* subject to the authority of the collector of *Hidgellee*, and in the district of *Midnapore*; and whereas it is likewise advisable to extend to the said district and *mehals* the operation of *Regulation XII, 1817*, the following rules have been enacted, to be in force from the *1st September, 1817*.

**II.** *Canoongoes* shall be appointed in the districts abovementioned, by the collectors of *Hidgellee* and *Midnapore* respectively, in the same manner, and for the performance of the same duties as are prescribed in *Regulation V, 1816*, in regard to the district of *Cuttack*, the *purgunnah* of *Puttaspore* and its dependencies; and all the rules contained in the *Regulation* aforesaid, are hereby extended to the district of *Midnapore*, and to the *mehals* subject to the collector of *Hidgellee*, as far as they may be applicable to those districts.

**III.** The provisions of *Regulation XII, 1817*, are hereby extended to the district of *Midnapore*, and the *mehals* subject to the collector of *Hidgellee*.

Preamble

*Canoongoes* to be appointed in the district of *Midnapore*, and in the *mehals* subject to the collector of *Hidgellee*.

Provisions of *Regulation XII, 1817*, extended to *Midnapore*, and to the *mehals* subject to the collector of *Hidgellee*.





## A. D. 1817. REGULATION XIV.

**A REGULATION** for amending certain parts of *Regulation II, 1812*.—**PASSED** by the Vice-President in Council on the 9th September 1817, corresponding with the 26th Bhadoon 1224 Bengal era; the 14th Bhadoon 1224 Fusly; the 17th Bhadoon 1224 Willaity; the 13th Bhadoon 1874 Sumbut; and the 26th Sawol 1232 Higeree.

**WHEREAS** it has been found that some inaccuracies of calculation exist in the table No. 2 annexed to Regulation II, 1812, by which the produce of gold bullion is calculated in the Calcutta mint; the following rules have been enacted, to be in force from the date of their promulgation.

II. So much of Regulation II of 1812, as relates to the table of the produce of gold bullion in the Calcutta mint, annexed to that Regulation, is hereby rescinded.

III. Instead of the table referred to in the above section, the assay produce, duties and net produce of gold bullion delivered for coinage into the Calcutta mint, shall be hereafter calculated agreeably to the table annexed to this Regulation, and the certificates granted by the assay master shall be made out accordingly.

*Table of the Produce of Gold Bullion in the Calcutta Mint.*

Sicca Weight.	Assay per Cent.	Deduction for W: se- ness.	A. moane- for the refi- ning charges.	Total Reduction.	Standard Quantity.	Assay pro- duce Gold Mohurs.	Duty at 2½ per Cent.	Nett pro- duce Gold Mohurs.
100	2 Br.	0 755	.....	.....	100 755	91 829	2 971	92 458
—	2 Br.	0 631	.....	.....	100 640	91 711	2 938	92 343
—	2 Br.	0 514	.....	.....	100 504	91 592	2 955	92 227
—	2 Br.	0 378	.....	.....	100 378	91 473	2 932	92 111
—	2 Br.	0 252	.....	.....	100 252	91 355	2 950	91 995
—	2 Br.	0 125	.....	.....	100 125	91 235	2 940	91 885
—	Standard	.....	.....	.....	100 0	91 118	2 953	91 765
—	1 Wo.	0 125	0 5	0 125	99 871	93 997	2 950	91 649
—	1 Wo.	0 252	0 5	0 752	99 218	93 400	2 935	91 075
—	1 Wo.	0 378	0 5	0 878	99 122	93 291	2 942	90 959
—	1 Wo.	0 504	0 5	1 001	98 996	93 173	2 929	90 844
—	1 Wo.	0 630	0 5	1 130	98 870	93 051	2 925	90 721
—	1 Wo.	0 755	0 5	1 256	98 744	92 935	2 923	90 613
—	1 Wo.	0 882	0 5	1 382	98 618	92 817	2 920	90 497
—	1 Wo.	1 004	0 5	1 505	98 492	92 698	2 917	90 381
—	1½ Wo.	1 250	0 5	1 760	98 240	92 451	2 911	90 150
—	1½ Wo.	1 512	0 5	2 012	97 948	92 244	2 901	89 918
—	1½ Wo.	1 764	0 5	2 264	97 735	91 987	2 911	89 637
—	2 Wo.	2 016	0 5	2 516	97 494	91 750	2 294	89 446
—	2½ Wo.	2 258	0 5	2 753	97 232	91 512	2 248	89 244
—	2½ Wo.	2 520	0 5	3 020	96 980	91 271	2 232	89 099
—	2½ Wo.	2 772	0 5	3 272	96 728	91 033	2 216	88 762
—	3 Wo.	3 021	0 5	3 521	96 475	90 801	2 210	88 591
—	3½ Wo.	3 275	0 5	3 775	96 225	90 555	2 211	88 301
—	3½ Wo.	3 523	0 5	4 025	95 974	90 323	2 208	88 073
—	3½ Wo.	3 778	0 5	4 278	95 721	90 091	2 252	87 849
—	4 Wo.	4 030	0 5	4 530	95 470	89 854	2 246	87 614
—	4½ Wo.	4 282	0 5	4 782	95 218	89 617	2 240	87 377
—	4½ Wo.	4 534	0 5	5 034	94 965	89 380	2 235	87 145
—	4½ Wo.	4 785	0 5	5 285	94 714	89 143	2 228	86 915
—	5 Wo.	5 036	0 5	5 536	94 462	88 905	2 223	86 682

**Preamble.**

Such part of Regulation II, 1812, as relates to table No. 2, annexed to that Regulation, rescinded.

The table of the produce of gold bullion annexed to this Regulation, to be in force in lieu of the table No. 2, alluded to in the preceding section.

**A. D. 1817. REGULATION XIV.**

Siera Weight.	Assay per Cent.	Deduction for Worseness.	Allowance for the refining charges.	Total reduction.	Standard Quantity.	Assay, Gold Mohurs.	Duty at 2½ per Cent.	Nett produce, Gold Mohurs.
100.	F <sub>1</sub> Wo.	5 296	1 0	6 290	93 710	88 198	2 205	85 998
	5 <sub>1</sub> Wo.	5 541	1 0	6 541	93 459	87 961	2 199	85 762
	1 <sub>1</sub> Wo.	5 793	1 0	6 793	93 207	87 724	2 193	85 531
	6 <sub>1</sub> Wo.	6 045	1 0	7 045	92 955	87 487	2 187	85 300
	6 <sub>1</sub> Wo.	6 297	1 0	7 297	92 703	87 250	2 181	85 069
	6 <sub>1</sub> Wo.	6 549	1 0	7 549	92 451	87 012	2 175	84 838
	7 <sub>1</sub> Wo.	7 801	1 0	7 801	92 199	86 776	2 169	84 607
	7 <sub>1</sub> Wo.	7 053	1 0	8 053	91 947	86 538	2 163	84 375
	7 <sub>1</sub> Wo.	7 305	1 0	8 305	91 695	86 301	2 158	84 143
	7 <sub>1</sub> Wo.	7 557	1 0	8 557	91 443	86 064	2 152	83 912
	7 <sub>1</sub> Wo.	7 809	1 0	8 809	91 191	85 827	2 146	83 681
	8 <sub>1</sub> Wo.	8 060	1 0	9 060	90 940	85 591	2 140	83 451
	F <sub>1</sub> Wo.	8 312	1 0	9 312	90 688	85 353	2 134	83 219
	8 <sub>1</sub> Wo.	8 564	1 0	9 564	90 436	85 116	2 128	82 988
	8 <sub>1</sub> Wo.	8 816	1 0	9 816	90 184	84 879	2 122	82 757
	9 <sub>1</sub> Wo.	9 068	1 0	10 068	89 932	84 642	2 116	82 526
	9 <sub>1</sub> Wo.	9 320	1 0	10 320	89 680	84 405	2 110	82 295
	9 <sub>1</sub> Wo.	9 572	1 0	10 572	89 428	84 158	2 104	82 064
	10 <sub>1</sub> Wo.	9 824	1 0	10 824	89 176	83 921	2 098	81 832
	10 <sub>1</sub> Wo.	10 075	1 0	11 075	88 925	83 684	2 092	81 602
	10 <sub>1</sub> Wo.	10 327	1 5	11 827	88 173	83 986	2 075	80 911
	10 <sub>1</sub> Wo.	10 579	1 5	12 079	87 921	82 749	2 069	80 680
	11 <sub>1</sub> Wo.	10 831	1 5	12 831	87 669	82 512	2 063	80 449
	11 <sub>1</sub> Wo.	11 083	1 5	12 883	87 417	82 275	2 057	80 218
	11 <sub>1</sub> Wo.	11 335	1 5	12 835	87 165	82 038	2 051	79 987
	11 <sub>1</sub> Wo.	11 587	1 5	13 087	86 913	81 800	2 045	79 755
	11 <sub>1</sub> Wo.	11 839	1 5	13 839	86 661	81 563	2 039	79 524
	12 <sub>1</sub> Wo.	12 091	1 5	13 591	86 409	81 326	2 033	79 293
	12 <sub>1</sub> Wo.	12 342	1 5	13 842	86 158	81 090	2 027	79 063
	12 <sub>1</sub> Wo.	12 594	1 5	14 094	85 906	80 853	2 021	78 832
	12 <sub>1</sub> Wo.	12 846	1 5	14 346	85 654	80 616	2 015	78 601
	13 <sub>1</sub> Wo.	13 098	1 5	14 598	85 402	80 378	2 009	78 369
	13 <sub>1</sub> Wo.	13 350	1 5	14 850	85 150	80 141	2 004	78 137
	13 <sub>1</sub> Wo.	13 602	1 5	15 102	84 898	79 904	1 998	77 906
	13 <sub>1</sub> Wo.	13 854	1 5	15 354	84 646	79 667	1 992	77 675
	14 <sub>1</sub> Wo.	14 106	1 5	15 606	84 394	79 430	1 986	77 444
	14 <sub>1</sub> Wo.	14 358	1 5	15 858	84 142	79 193	1 980	77 213
	14 <sub>1</sub> Wo.	14 610	1 5	16 110	83 890	78 955	1 974	76 981
	14 <sub>1</sub> Wo.	14 862	1 5	16 362	83 638	78 716	1 968	76 750
	15 <sub>1</sub> Wo.	15 113	1 5	16 613	83 387	78 482	1 962	76 519
	15 <sub>1</sub> Wo.	15 365	2 0	17 365	82 635	77 774	1 944	75 890
	15 <sub>1</sub> Wo.	15 617	2 0	17 617	82 383	77 537	1 938	75 599
	15 <sub>1</sub> Wo.	15 869	2 0	17 869	82 131	77 300	1 932	75 367
	16 <sub>1</sub> Wo.	16 121	2 0	18 121	81 879	77 063	1 927	75 136
	16 <sub>1</sub> Wo.	16 373	2 0	18 373	81 627	76 826	1 921	74 906
	16 <sub>1</sub> Wo.	16 625	2 0	18 625	81 375	76 588	1 915	74 673
	16 <sub>1</sub> Wo.	16 876	2 0	18 876	81 124	76 352	1 909	74 443
	17 <sub>1</sub> Wo.	17 128	2 0	19 128	80 872	76 115	1 903	74 212
	17 <sub>1</sub> Wo.	17 380	2 0	19 380	80 620	75 878	1 897	73 981
	17 <sub>1</sub> Wo.	17 632	2 0	19 632	80 368	75 640	1 891	73 749
	17 <sub>1</sub> Wo.	17 884	2 0	19 884	80 116	75 403	1 885	73 518
	18 <sub>1</sub> Wo.	18 130	2 0	20 136	79 864	75 166	1 879	73 287
	18 <sub>1</sub> Wo.	18 388	2 0	20 388	79 612	74 929	1 873	73 056
	18 <sub>1</sub> Wo.	18 640	2 0	20 640	79 360	74 692	1 867	72 825
	18 <sub>1</sub> Wo.	18 892	2 0	20 892	79 108	74 455	1 861	72 594
	19 <sub>1</sub> Wo.	19 144	2 0	21 144	78 856	74 218	1 855	72 363
	19 <sub>1</sub> Wo.	19 395	2 0	21 395	78 605	73 981	1 849	72 132
	19 <sub>1</sub> Wo.	19 647	2 0	21 647	78 353	73 744	1 843	71 900
	19 <sub>1</sub> Wo.	19 899	2 0	21 899	78 101	73 507	1 838	71 669
	20 <sub>1</sub> Wo.	20 151	2 5	22 151	77 849	73 270	1 832	71 436
	20 <sub>1</sub> Wo.	20 403	2 5	22 903	77 097	72 552	1 814	70 748
	20 <sub>1</sub> Wo.	20 655	2 5	23 155	76 845	72 325	1 808	70 517
	20 <sub>1</sub> Wo.	20 907	2 5	23 407	76 593	72 088	1 802	70 286
	21 <sub>1</sub> Wo.	21 159	2 5	23 659	76 341	71 850	1 796	70 054
	21 <sub>1</sub> Wo.	21 410	2 5	23 910	76 090	71 614	1 790	69 824
	21 <sub>1</sub> Wo.	21 662	2 5	24 162	75 838	71 377	1 784	69 593
	21 <sub>1</sub> Wo.	21 914	2 5	24 414	75 586	71 140	1 778	69 362
	22 <sub>1</sub> Wo.	22 166	2 5	24 666	75 334	70 903	1 772	69 131
	22 <sub>1</sub> Wo.	22 418	2 5	24 918	75 082	70 665	1 767	68 899
	22 <sub>1</sub> Wo.	22 670	2 5	25 170	74 830	70 428	1 761	68 667
	22 <sub>1</sub> Wo.	22 922	2 5	25 422	74 578	70 191	1 755	68 436
	23 <sub>1</sub> Wo.	23 174	2 5	25 674	74 326	69 954	1 749	68 205
	23 <sub>1</sub> Wo.	23 426	2 5	25 926	74 074	69 717	1 743	67 974
	23 <sub>1</sub> Wo.	23 678	2 5	26 178	73 822	69 480	1 737	67 743
	23 <sub>1</sub> Wo.	23 929	2 5	26 429	73 571	69 243	1 731	67 512
	24 <sub>1</sub> Wo.	24 181	2 5	26 681	73 319	69 006	1 725	67 281
	24 <sub>1</sub> Wo.	24 433	2 5	26 933	73 067	68 769	1 719	67 050
	24 <sub>1</sub> Wo.	24 685	2 5	27 185	72 815	68 532	1 713	66 819
	24 <sub>1</sub> Wo.	24 937	2 5	27 437	72 563	68 295	1 707	66 588
	25 <sub>1</sub> Wo.	25 189	2 5	27 689	72 311	68 057	1 701	66 356
	25 <sub>1</sub> Wo.	25 441	3 0	28 441	71 559	67 350	1 684	65 666
	25 <sub>1</sub> Wo.	25 693	3 0	28 693	71 307	67 112	1 678	65 434
	25 <sub>1</sub> Wo.	25 945	3 0	28 945	71 055	66 876	1 672	65 204

# A. D. 1817. REGULATION XIV.

Stcca Weight.	Assay per Cent.	Deduction for Woreness.	Allowance for the refining Charges.	Total reduction.	Standard Quantity.	Assay produce, Gold Mohurs.	Duty at 2½ per Cent.	Nett produce, Gold Mohurs.
100.	26 Wo.	26 196	3 0	29 196	70 804	65 639	1 666	64 973
---	26½ Wo.	26 448	3 0	29 443	70 552	65 402	1 660	64 742
---	26¾ Wo.	26 700	3 0	29 700	70 300	65 160	1 654	64 646
---	27 Wo.	26 952	3 0	29 952	70 048	65 928	1 648	64 280
---	27½ Wo.	27 204	3 0	30 204	69 796	65 690	1 642	64 048
---	27¾ Wo.	27 456	3 0	30 456	69 544	65 439	1 636	63 817
---	28 Wo.	27 708	3 0	30 708	69 292	65 216	1 630	63 586
---	28½ Wo.	27 960	3 0	30 960	69 040	64 979	1 624	63 355
---	28¾ Wo.	28 212	3 0	31 212	68 788	64 742	1 618	63 124
---	29 Wo.	28 463	3 0	31 463	68 537	64 505	1 613	62 893
---	29½ Wo.	28 715	3 0	31 715	68 285	64 268	1 607	62 661
---	29¾ Wo.	28 967	3 0	31 967	68 033	64 031	1 601	62 430
---	30 Wo.	29 219	3 0	32 219	67 781	63 794	1 595	62 199
---	30½ Wo.	29 471	3 0	32 471	67 529	63 557	1 589	61 968
---	30¾ Wo.	29 723	3 0	32 723	67 277	63 320	1 583	61 737
---	31 Wo.	29 975	3 0	32 975	67 025	63 082	1 577	61 505
---	31½ Wo.	30 227	3 0	33 227	66 773	62 845	1 571	61 274
---	31¾ Wo.	30 479	3 5	33 979	66 021	62 137	1 553	60 584
---	32 Wo.	30 730	3 5	34 230	65 770	61 901	1 547	60 354
---	32½ Wo.	30 982	3 5	34 482	65 518	61 664	1 542	60 12
---	32¾ Wo.	31 234	3 5	34 734	65 266	61 427	1 536	59 891
---	33 Wo.	31 486	3 5	34 986	65 014	61 190	1 530	59 660
---	33½ Wo.	31 738	3 5	35 238	64 762	60 952	1 524	59 428
---	33¾ Wo.	31 990	3 5	35 490	64 510	60 715	1 518	59 197
---	34 Wo.	32 242	3 5	35 742	64 258	60 478	1 512	58 966
---	34½ Wo.	32 494	3 5	35 994	64 006	60 241	1 506	58 735
---	34¾ Wo.	32 746	3 5	36 246	63 754	60 001	1 500	58 504
---	35 Wo.	32 997	3 5	36 497	63 503	59 768	1 494	58 274
---	35½ Wo.	33 249	3 5	36 749	63 251	59 530	1 488	58 042
---	35¾ Wo.	33 501	3 5	37 001	62 999	59 293	1 482	57 811
---	36 Wo.	33 753	3 5	37 253	62 747	59 056	1 476	57 580
---	36½ Wo.	34 005	3 5	37 505	62 495	58 819	1 470	57 349
---	36¾ Wo.	34 257	3 5	37 757	62 243	58 582	1 464	57 118
---	37 Wo.	34 509	3 5	38 009	61 991	58 344	1 459	56 885
---	37½ Wo.	34 761	3 5	38 261	61 739	58 107	1 453	56 654
---	37¾ Wo.	35 013	3 5	38 513	61 487	57 870	1 447	56 423
---	38 Wo.	35 264	3 5	38 764	61 236	57 634	1 441	56 193



## A. D. 1817. REGULATION XV.

**A REGULATION** for imposing a duty on foreign Salt imported by sea into any port or place within the limits of the territories immediately dependent on the Presidency of Fort William.—**PASSED** by the Vice President in Council on the 9th September 1817, corresponding with the 26th Bhadoon 1224 Bengal era ; the 14th Bhadoon 1224 Fusly ; the 17th Bhadoon 1224 Willaity ; the 13th Bhadoon 1874 Sumbut ; and the 26th Sawal 1232 Higerree.

**WHEREAS** it has been deemed expedient, with a view to the improvement and security of the public revenue, to impose a duty on foreign salt imported by sea into any port or place within the territories immediately dependent on the presidency of Fort William, the Vice President in Council, with the sanction of the Court of Directors of the United Company of Merchants of England trading to the East Indies, and with the approbation of the Board of Commissioners for the affairs of India, has enacted the following rules, to be in force throughout the aforesaid territories from the period of their promulgation:

**II.** Foreign salt, that is to say, salt made out of the limits of the territories immediately dependent on the presidency of Fort William, shall on importation by sea, into any port or place within the limits of the said territories, be subject to a duty at the rate of sicca rupees three per maund of forty seers, each seer weighing eighty-two sicca weight.

**III.** The aforesaid duty shall be paid and levied under the same rules and provisions as are applicable generally to the payment and collection of the duties denominated government customs on goods or merchandize imported by sea, subject however to the provision contained in the following section ; and any salt imported or landed in breach of the said rules and provisions, shall be forfeited, two-third parts thereof to the said United Company, and one-third part to the person or persons, who shall seize, inform, or sue for the same, and shall and may be seized as forfeited by the collector or any of the officers of the custom house or customs, or by any of the officers of government serving in the salt department, to be by them conveyed and deposited in one of the said United Company's golahs or warehouses, or other secure place.

**IV.** The proprietor or proprietors of salt imported as aforesaid, may, if he or they be so disposed, instead of landing the salt so imported at the custom house and paying the duty due and payable thereon, in the manner prescribed generally for the payment of the duties denominated government customs on goods or merchandize imported by sea, deliver it on shore at the Company's golahs or warehouse, or such other

**Preamble.**

Foreign salt when imported by sea into any port or place within the limits of the territories dependent on the presidency of Fort William, subject to a duty of three sicca rupees per maund.

Mode of levying the duty above-mentioned.

Salt liable to forfeiture on breach of the rules contained in this Regulation.

Option granted to proprietors to lodge their salt in the Company's golah or warehouse, instead of landing it at the custom house, and without payment of the prescribed duty in the first instance.

**secure**

**A. D. 1817. REGULATION XV.**

But such salt not to be removed, until the duty shall be duly paid.

secure place as shall be approved by the Governor General in Council, and secure and lodge it therein without payment of duty in the first instance ; provided however that salt so warehoused, shall not be removed until the duty imposed by this Regulation shall be duly paid.

Salt lodged or secured as above-mentioned, to be cleared and taken away within twelve months on payment of the full duty imposed by this Regulation.

On failure, the salt liable to be sold.

And the produce how to be disposed of.

Provide.

Salt liable to be destroyed

V. The importers, proprietors or consignees of salt which shall have been lodged or secured as aforesaid, shall within twelve calendar months, to be computed from the date of the production of the manifest at the custom house, clear and take from and out of such warehouses or places all such salt, and shall pay the full duty imposed by this Regulation ; and in case any such importers, proprietors or consignees shall fail or neglect so to do, it shall be lawful for the Governor General in Council, or such officer as may be duly empowered by him in this behalf, to cause all such salt to be publicly sold or exposed to sale, and after such sale, the produce thereof shall first be applied to the payment of the duty imposed by this Regulation, and the overplus, if any, shall be paid to the proprietor or other persons authorized to receive the same ; provided that no such salt shall be sold unless a price can be obtained for the same equal at least to the full amount of the duty aforesaid, but if such price cannot be obtained, then all such salt shall be effectually destroyed by and in the presence of such officer as the Governor General shall appoint.

## A. D. 1817. REGULATION XVI.

**A REGULATION** for imposing a duty on foreign Opium imported by sea into any port or place within the limits of the territories immediately dependent on the Presidency of Fort William.—**PASSED** by the Vice-President in Council on the 9th September 1817; corresponding with the 26th Bhadoon 1224 Bengal era; the 14th Bhadoon 1224 Fusly; the 17th Bhadoon 1224 Willaity; the 13th Bhadoon 1874 Sumbut; and the 26th Sawul 1232 Higeree.

**WHEREAS** it has been deemed expedient, with a view to the improvement and security of the public revenue, to impose a duty on foreign opium imported by sea into any port or place within the territories immediately dependent on the presidency of Fort William, the Vice-President in Council, with the sanction of the Court of Directors of the United Company of Merchants of England trading to the East Indies, and with the approbation of the Board of Commissioners for the affairs of India, has enacted the following rules, to be in force throughout the aforesaid territories from the period of their promulgation.

**II.** Foreign opium, that is to say, opium made out of the limits of the territories immediately dependent on the presidency of Fort William, shall on importation by sea into any port or place within the limits of the said territories, be subject to a duty at the rate of sica rupees twenty four per seer of eighty Calcutta sicca weight.

**III.** The aforesaid duty shall be paid and levied under the same rules and provisions, as are applicable generally to the payment and collection of the duties denominated government customs on goods or merchandize imported by sea, subject however to the provision contained in the following section, and any opium imported or landed in breach of the said rules and provisions, shall be forfeited, two-third parts to the said United Company, and one-third part to the person or persons who shall seize, inform or sue for the same; and shall and may be seized as forfeited by the collector or any of the officers of the custom house or customs, or by any of the officers of government serving in the opium or salt department, to be by them conveyed and deposited in one of the said United Company's warehouses or other secure place.

**IV.** The proprietor or proprietors of opium imported as aforesaid may, if he or they be so disposed, instead of landing the opium so imported at the custom house and paying the duty, due and payable thereon, in the manner prescribed generally for the payment of the duties denominated government customs on goods or merchandize imported by sea, deliver it on shore at the Company's warehouses, or such other warehouse as shall be approved by the Governor General in Council, and secure and lodge it therein without payment of duty in the first instance; provided

**Preamble.**

Foreign opium when imported by sea into any port or place within the limits of the territories dependent on the presidency of Fort William, subject to a duty of twenty-four sa. rs. per seer.

Mode of levying the duty abovementioned.

Opium liable to forfeiture on breach of the rules contained in this Regulation.

Option granted to proprietors to lodge their opium in the Company's warehouse, instead of landing it at the custom house, and without payment of the prescribed duty in the first instance.

But such opium not to be

however



**A. D. 1817. REGULATION XVI.**

removed, until the duty shall be duly paid.

however that opium so warehoused, shall not be removed until the duty imposed by this Regulation shall be duly paid.

Opium lodged or secured as aforesaid, to be destroyed and taken away within twelve months, on payment of the full duty imposed by this Regulation.

V. The importers, proprietors or consignees of opium, which shall have been lodged or secured as aforesaid, shall within twelve calendar months, to be computed from the date of the production of the manifest at the custom house, clear and take from and out of such warehouses or places, all such opium, and shall pay the full duty imposed by this Regulation; and in case any such importers, proprietors or consignees, shall fail or neglect so to do, it shall be lawful for the Governor General in Council or such officer as may be duly empowered by him in this behalf, to cause all such opium to be publicly sold or exposed to sale, and after such sale, the produce thereof shall first be applied to the payment of the duty imposed by this Regulation, and the overplus, if any, shall be paid to the proprietor or other persons authorized to receive the same; provided that no such opium shall be sold, unless a price can be obtained for the same, equal at least to the full amount of the duty aforesaid, but if such price cannot be obtained, then all such opium shall be effectually destroyed by and in the presence of such officer as the Governor General shall appoint.

On failure, the opium liable to be sold.

And the produce how to be disposed of.

Proviso.

Opium liable to be destroyed.

## A. D. 1817. REGULATION XVII.

A REGULATION to provide for the more effectual administration of Criminal Justice in certain cases :—PASSED by the Vice-President in Council on the 16th September 1817 ; corresponding with the 2d Assin 1224 Bengal era ; the 21st Bhadoon 1234 Fusly ; the 3d Assin 1224 Willaity ; the 6th Bhadoon 1874 Sumbut ; and the 4th Ze-kacdda 1232 Higeree.

THE Regulations in force for the conduct of criminal trials before the courts of circuit, (with the exception of special cases, in which the attendance and futwa of the Mahomedan law officers are dispensed with,) require that the cauzy or moofly be present at the whole of the trial, and on the close of it, write, at the end of the record, a futwa or declaration of the Moosulman law, as applicable to the circumstances of the case. The judges of the courts of circuit are further directed to refer to the cauzy or moofly, all questions on points of law, that may arise during the course of any trial, and respecting which no specific rules shall have been enacted. In several cases such rules have been prescribed with a view to supply ascertained defects in the Mahomedan law : and in all cases, not provided for, wherein the judges of circuit, presiding at criminal trials, may see cause to disapprove the futwa of the law officers, as appearing contrary to the evidence, or to the principles of justice, they are instructed not to pass any sentence ; but, after completing the trial, to transmit the whole of the proceedings, with the futwa of the law officer, and a letter stating the grounds of their disapproval, for the sentence of the Nizamut Adawlut. On such reference a further futwa is taken from the law officers of the Nizamut Adawlut, and the final sentence is then passed by that court. But the existing Regulations contain no provision for enabling the judges of the Nizamut Adawlut to pass a sentence of punishment, when the futwa of the law officers may not convict the prisoner of the fact or facts charged against him ; nor declare him liable, on strong presumption, to discretionary punishment. At the same time the Mahomedan law of evidence in some cases (especially in those of *zina*, including adultery, rape and incest,) is such as to render a legal conviction almost impossible ; and the law officers of the Nizamut Adawlut have declared the insufficiency of presumptive evidence, to warrant the infliction of punishment in such cases. Conviction of the prevalent crime of perjury has also been found difficult, under the Mahomedan law of evidence, as applied to the proof of this offence ; and its exceptions to the competency or credit of witnesses are in some instances, inconsistent with the ends of public justice. It is therefore necessary to provide for the more effectual administration of criminal

Preamble.

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## A. D. 1817. REGULATION XVII.

nal justice in the cases referred to ; and some of the existing rules in other cases, connected with the subject, also require explanation and amendment. The following rules have accordingly been enacted, to be in force from the time of their promulgation in all the provinces immediately subject to the presidency of Fort William.

**Judge of circuit how to proceed, when a person brought to trial before him may be acquitted by the futwa of the law officer, and the judge of circuit shall be of opinion that the proof against the prisoner is sufficient to convict him of the whole or part of the charge, so as to render him a proper object of punishment.**

II. Whenever a person charged with a criminal offence, and brought to trial before a court of circuit, shall be acquitted of the charge, by the futwa of the Mahomedan law officer present at the trial, and the judge before whom the trial may be held, on full consideration of the evidence, and of all the circumstances of the case, shall be of opinion that the proof against the prisoner, whether founded on his free and voluntary confession, or on the testimony of credible witnesses, or on circumstances of strong presumption, is sufficient to convict the prisoner of the whole, or any part of the charge, so as to render him a proper object of punishment, the judge shall not pass any sentence : but, as directed by the existing Regulations, in all cases wherein a judge of circuit sitting on a criminal trial may disapprove the futwa of the law officer, shall transmit, without delay, the whole of the proceedings on the commitment and trial, with the futwa of the law officer, to the court of Nizamut Adawlut ; and shall state in a letter to that court, the specific crime or crimes, which the judge may consider to be established against the prisoner.

**Law officers of the Nizamut Adawlut to write their futwa upon trials referred to that court under the foregoing section, as in other referred trials.**

III. On receipt of the proceedings upon trials referred to the Nizamut Adawlut, in pursuance of the foregoing section, the Mahomedan law officers of that court shall write their futwa thereupon, as in other trials referred under the general Regulations.

**Power vested in two or more judges of the Nizamut Adawlut to pass sentence of conviction and punishment, in certain cases, notwithstanding a futwa of acquittal by the law officers of that court.**

IV. In such cases, as well as in all trials referred to the Nizamut Adawlut, when the futwa of one or more of the law officers of that court may acquit a prisoner of the whole, or any part of the charge preferred against him, and two or more judges of that court, on a deliberate consideration of the evidence and circumstances of the case, shall concur in opinion, that the proof against the prisoner so acquitted, whether founded on his free and voluntary confession, or on the testimony of credible witnesses, or on circumstances of strong presumption, is sufficient to convict him of the whole, or any part of the charge, and that he is in every respect a proper object of punishment, the judges so concurring in opinion, are hereby declared competent to convict and pass sentence of punishment upon the prisoner, according to the nature and degree of his offence, and the provisions applicable thereto in the laws and regulations in force ; in like manner as if he had been declared convicted by the futwa of the law officers.

**Courts of circuit how to proceed when the evidence of witnesses may**

V. If the evidence of a witness on a criminal trial, before a court of circuit, be declared by the Mahomedan law officer inadmissible, on the ground

of

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of the witness being a police officer, or an officer of government of any description; or on any other ground of exception in the Mahomedan rules of evidence, which may appear to the judge of circuit unreasonable and insufficient; the judge shall cause the examination of the witness to be taken, notwithstanding the exception stated by the law officer; and shall require the latter, on completion of the trial, to declare in his fatwa the sentence to which the prisoner would have been liable, if the evidence of the witness or witnesses, objected to, had been admissible under the provisions of the Mahomedan law. In such cases however, if the conviction of the prisoner depend exclusively or principally upon the evidence of the witness or witnesses objected to by the law officer, the judge of circuit shall not pass any sentence; but shall refer the trial to the Nizamut Adawlut; which court, after taking a fatwa from its law officer, is empowered to pass such sentence as may be deemed just and proper, under the preceding section of this Regulation, and the general Regulations in force.

on insufficient grounds be considered by the law officers to be inadmissible.

**VI. First.** In trials before the courts of circuit for adultery, rape, or any other offence, within the provisions of the Mahomedan law for cases of *zinâ*, and *fai-i-shurea*, the fatwa of the law officer of the court of circuit, before whom the trial may be held, shall declare only, whether the prisoner is legally convicted; or if not, whether there be strong ground of presumption, arising from his free confession, or from credible testimony, or from circumstantial evidence, that he is guilty of the crime charged against him.

Rule for law officers of the courts of circuit in delivering their fatwas on charges of adultery, rape, and other crimes within the provisions of the Mahomedan law for cases of *zinâ*, and *fai-i-shurea*.

**Second.** If the fatwa so given, shall declare the prisoner legally convicted, or that there is strong presumption of his guilt, and the judge of circuit, before whom the trial may be held, shall concur in the conviction of the prisoner, or in the presumption of his guilt, so as to render him a proper object of punishment, and the circumstances of the case shall not appear to call for a more severe punishment than what the courts of circuit are authorized to adjudge, under the seventh clause of Section II, Regulation LIII, 1803, the judge shall sentence the prisoner to suffer such punishment as may be deemed adequate to his guilt, and the nature of the offence, not exceeding corporal punishment of thirty-nine stripes, and imprisonment with hard labor for the term of seven years.

Sentence to be passed by the judge of circuit if the prisoner be convicted or presumed guilty of the crime of adultery, or if the fatwa declares that there is strong presumption of his guilt, and the judge shall concur.

**Third.** If the prisoner be convicted, or presumed guilty, of the heinous crime of rape, the judge of circuit shall not pass any sentence; but shall refer the trial to the court of Nizamut Adawlut, for the sentence of that court, under the general Regulations in force.

Judge of circuit how to proceed, if the prisoner be convicted or presumed guilty of the crime of rape.

**Fourth.** In cases of adultery, it shall be requisite for the conviction and punishment of a married woman, that she be prosecuted by her husband; and no other person shall be deemed competent to prosecute, or prefer the charge against her, in such cases.

What person competent to prefer, and prosecute, a charge of adultery against a married woman.

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ratan, in addition to imprisonment not exceeding seven years, when such punishment in aggravated cases of theft may appear just and proper.

**IX First.** The provisions contained in Regulation II, 1807, for the punishment of persons convicted of wilful perjury, or subornation of perjury, or of forgery, or procuring forgery, are hereby declared subject to the following modifications.

**Second.** The judge of circuit, before whom a prisoner may be convicted of any of the offences specified in the above clause, as defined in Regulation II, 1807, or in the present Regulation, provided he concur with the law officer in the conviction of the prisoner, shall sentence him to be publicly exposed in the mode commonly denominated tusheer, to receive thirty stripes with a corah, and to be imprisoned in banishment from the district, for the period of seven years; or for the term of fourteen years, if the prisoner be convicted of having forged or procured to be forged any counterfeit coin in imitation of any of the gold, silver or copper coins of the British governments in India, or of any coin usually received as money in the British possessions in India; or of having forged, or procured to be forged, any counterfeit stamp, or stamp paper in imitation of any public stamp established by the British governments in India; or any counterfeit note, or other security for money, in imitation of any of the public securities of the British governments in India, or of the bank notes issued by any public bank in the British possessions in India, unless the judge of circuit, on consideration of all the circumstances of the case, shall be of opinion that any part of the prescribed punishment is too severe; in which case he is authorized to mitigate the sentence to imprisonment, with or without tusheer, for any period not less than seven years, in the abovementioned cases of forgery of counterfeit coin, public stamps, securities or bank notes, and procurement of such forgery, and to imprisonment, with or without tusheer, for any period not less than three years, in all other cases within the provisions of Regulation II, 1807, and the present Regulation.

**Third.** If in any instance the judge of circuit shall be of opinion, that a further mitigation or remission of punishment is necessary, he shall, provided he concur in the conviction of the prisoner, pass sentence according to the preceding clause, and refer the trial, with his sentiments at large, for the final sentence or order of the court of Nizamut Adawlut.

**X. First.** The provisions of Regulation II, 1807, not including the offence of fraudulently issuing and publishing as true, or otherwise fraudulently giving effect, or attempting to give effect, to fabricated deeds and papers, knowing the same to be false and fabricated; or the offence of using, issuing, selling or otherwise disposing of, or attempting to dispose of, counterfeit stamp paper, bearing the imitation of a public stamp, knowing the same to be counterfeit, or the offence of paying, or tendering in payment, counterfeited coin, bank notes, promissory notes, or other securities

for

The provisions in Regulation II, 1807, for the punishment of wilful perjury or subornation of perjury, or of forgery or procuring forgery, modified.

Sentence to be passed on persons convicted before the court of circuit of any of the above offences as defined in Regulation II, 1807, or in the present Regulation.

Enhanced penalty on persons convicted of having forged or procured to be forged counterfeit coin, &c.

Power of the judge of circuit to mitigate the prescribed punishment, to a certain extent, in cases of extenuation.

If a further mitigation of punishment appear proper, the judge of circuit to pass sentence according to the preceding clause, and refer the trial to the Nizamut Adawlut.

Provision for the punishment of knowingly and fraudulently uttering forged instruments, counterfeit stamp paper, coin, bank notes, promissory notes, or other securities for money.

## A. D. 1817. REGULATION XVII.

for money, knowing the same to be counterfeit, the following additional provisions are enacted for the punishment of these offences respectively.

**Second.** If any person shall be convicted before a court of circuit, or the court of Nizamut Adawlut, of any of the offences specified in the above clause, he shall be sentenced to imprisonment for such period, not exceeding seven years, as the judge of circuit may deem adequate to the nature and circumstances of the case: and shall also, in all instances of an aggravated nature, or of a repetition of the offence, after being once convicted and discharged, be sentenced to public exposure by tusheer. In every instance of a repetition of the offence, after a previous conviction and discharge, the judge of circuit may further at his discretion, sentence the offender to receive corporal punishment, not exceeding thirty stripes, with a corah or ratan. If a person twice convicted and discharged, be again found guilty of any of the offences specified in the preceding clause, and the judge of circuit shall be of opinion that he ought to be imprisoned for a longer period than seven years, he shall refer the trial, with his sentiments for the sentence of the court of Nizamut Adawlut, in pursuance of the seventh clause of Section II, Regulation LIII, 1803:

Sentence to be passed on persons convicted before a court of circuit or Nizamut Adawlut of any of the above offences.

In cases of an aggravated nature, or a repetition of the offence after first conviction and punishment, the judge of circuit may adjudge tusheer and stripes.

Rule in cases of a third conviction after discharge from former convictions.

**Third.** The provisions in the above clause are further declared applicable to persons convicted of clipping, filing, drilling, defacing, or debasing the gold or silver coin of the British governments in India, or any coin usually received as money within the British possessions in India; the whole of which offences, in the Regulations for the coinage, are already made cognizable by the criminal courts, and declared punishable as the law may direct.

Provisions in the above clause applicable to persons convicted of clipping, filing, drilling, defacing or debasing the gold or silver coin.

**XI.** If any person, subject to the jurisdiction of a zillah or city magistrate, shall be convicted of having in his, or her possession, without lawful or satisfactory excuse, any counterfeited coin, or stamp paper, bearing an imitation of any current coin, or public stamp, and shall not shew good and sufficient cause for having such counterfeit coin, or stamp paper in his, or her possession, the persons so convicted shall be sentenced by the magistrate to pay a fine equal to four times the nominal value of such counterfeit coin, or stamp paper, in his or her possession, one moiety of which fine shall, on receipt of it, be given to any informer, or informers, who may have given information of the offence, and established the truth of it. In the event of such fine not being paid, the person convicted shall be confined for such period as the magistrate may direct, not exceeding six months. The counterfeit coin or stamp paper, shall also, in every instance, be forwarded to the mint master or superintendant of stamps respectively.

Persons convicted before a magistrate of having in possession counterfeit coin or stamp paper, without lawful excuse, punishable by fine or 3 months imprisonment.

**XII. First.** Such part of Section III, Regulation II, 1807, or of any other Regulation in force, as directs that offenders, sentenced to imprisonment for a limited period, shall have the crimes, of which they are convicted, marked on their foreheads by the process of "godna," is hereby rescinded.

Punishment of godna restricted, in future, to convicts sentenced to imprisonment for life.

**Second.**

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**Second.** Convicts sentenced to imprisonment for life, shall alone be marked by the process of "godna," in the manner and for the purpose stated in Section XI, Regulation IV, 1797, and Section XXXV, Regulation VII, 1803.

**Third.** It shall further be competent to the court of Nizamut Adawlut to except any prisoners, sentenced to imprisonment for life, from being marked, as directed in the sections abovementioned, in cases wherein there may appear to be special reason for such exception.

**Fourth.** When convicts, sentenced to imprisonment for life, and not specially excepted by the Nizamut Adawlut, may be marked on the forehead as prescribed by Section XI, Regulation IV, 1797, and Section XXXV, Regulation VII, 1803, the magistrate shall cause the operation to be performed, early in the morning, and shall adopt precautions to prevent the convict's defacing the inscription in the course of the day. The magistrates are also directed to renew the inscription, if defaced, so as to become illegible, on the forehead of any convicts under sentence of imprisonment for life.

**XIII. First.** In addition to the rules contained in Sections XXVI, XXVII, and XXXIII, Regulation XII, 1817, it is hereby declared that any person convicted before a court of circuit, or the court of Nizamut Adawlut, of having given intentionally and deliberately a false deposition upon oath, or under a solemn declaration, taken instead of an oath, before a public officer authorized to take the same, shall be deemed guilty of wilful perjury, and liable to the punishment of that offence, declared in Section IX, of this Regulation, although the deposition so taken may not relate to any judicial proceeding, provided it shall clearly appear to have been given falsely and criminally on a point material to the case, in which the deposition may have been taken.

**Second.** Any person convicted before a court of circuit, or the court of Nizamut Adawlut, of having procured or caused another to commit the offence described in the above clause, shall be deemed guilty of subornation of perjury: and shall be liable to the punishment of that offence, declared in Section IX of this Regulation.

**XIV. First.** By Section II, Regulation III, 1801, extended to the upper provinces by Section III, Regulation VII, 1813, with a view to prevent unfounded and malicious charges of perjury or subornation of perjury, it is provided that the zillah and city magistrates shall not receive any charges of perjury, which may be preferred by parties in civil suits, either against their own witnesses, or against the witnesses of the adverse party, or charges of subornation of perjury against the adverse parties in such suits; and all individuals whose attendance is required in the civil courts, either as plaintiffs, defendants, or witnesses, are declared not liable to any prosecution of this description, unless committed to take their trial by the zillah or city judge, the following additional provisions are now enacted for the more effectual attainment of the object above stated.

*Second.*

Nizamut Adawlut empowered, in special cases, to exempt a prisoner sentenced to imprisonment for life, from being marked with the godna.

In what manner the operation of godna, to be performed on persons liable to it.

The magistrate to renew the inscription if defaced.

Sentence to be passed on persons convicted before court of circuit, or Nizamut Adawlut, of having wilfully given a false deposition on oath, or solemn declaration before any public officer authorized to take the same.

Persons convicted of causing or procuring another to commit the above offence, shall be deemed guilty of subornation of perjury and punishable accordingly under Section VI, of this Regulation.

Re-capitulation of Section II, Regulation III, 1801, and additional provision enacted for the more effectual attainment of the objects of that Regulation.

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**Second.** The rule abovementioned, (with this qualification that the zillah or city judge may commit to prison, or admit to bail, as he shall think proper, under the discretion given by Section V, Regulation II, 1807,) shall be considered applicable to all allegations of perjury, or subornation of perjury, against parties or witnesses in any civil suit, or any civil proceedings whatever, before the judge or register of a zillah or city court; or before a sudder aumeen or moonsiff, or an arbitrator or arbitrators appointed to investigate such suits; or an officer employed by a zillah or city civil court, in any local or other enquiry; or in the execution of any civil process. In all such cases the proceedings, on which the charge of perjury, or subornation of perjury may be grounded, if not held before the zillah or city judge in the first instance, shall be referred to him by the register, commissioner, or other officer, before whom the proceedings may have been held, with the sentiments of the register, commissioner, or other officer, upon the case; and if the judge be of opinion that there are sufficient grounds for bringing the accused party to trial before the court of circuit, on a charge of perjury, or subornation of perjury, he shall record his opinion to that effect; and at the same time direct whether the accused shall be admitted to bail, or kept in custody. An authenticated copy of the order passed by him, with the whole of the original papers relative to the case, shall then be transferred to the sutcherry of the magistrate, that the order of the judge may be carried into effect, and the case brought before the court of circuit, in the same manner as if the charge had been instituted and proceeded upon, in the court of the magistrate.

**Third.** If the judges of the provincial courts, or of the court of Sudder Dewanny Adawlut, or any single judge of those courts respectively, in cases within the competency of a single judge, shall be of opinion that there are sufficient grounds, on any civil proceeding before them for bringing a party or witness to trial, on a charge of perjury, or subornation of perjury, they shall record their sentiments to that effect; and at the same time direct whether the party accused shall be admitted to bail, or kept in custody;—an authenticated copy of the order so passed, with the whole of the original papers relative to the case, shall then be transmitted to the proper zillah or city magistrate, for the purpose of being proceeded upon; as stated in the preceding clause.

**Fourth.** The restriction against prosecutions for perjury and subornation of perjury of witnesses and parties in the civil courts, unless the officers presiding in these courts, shall be of opinion that there are grounds for such prosecutions, are hereby extended to all charges of perjury, or subornation of perjury, against witnesses and prosecutors in the criminal courts, or before any public officer authorized to hold enquiries respecting offences of a criminal nature. Provision is already made by Section VI, Regulation II, 1807, for such cases, when persons attending the session of a court of circuit may appear to the judge of that court, to have been guilty of perjury, or

subornation

The rule in the section and Regulation above cited, with a discretion to the judge to commit to prison or admit to bail, declared to extend generally, to all allegations of perjury, or subornation of perjury, against parties or witnesses in any civil suit, or any civil proceeding whatever before any of the authorities herein mentioned.

Mode of procedure when the proceedings on which the charge of perjury or subornation of perjury is grounded, may be held before a register, native commissioner or other officer.

And in cases wherein the proceedings may be held before the judges of the provincial courts, or of the court of Sudder Dewanny Adawlut, or any single judge of those courts.

Restriction against prosecutions of perjury or subornation of perjury of parties and witnesses in the civil courts extended to charges of these offences against prosecutors and witnesses in the criminal courts, or before any public officer authorized to hold enquiries into offences of a criminal nature.



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**Subornation of perjury.** The judges of the courts of circuit at the sudder stations of those courts, and the judges of the court of Nizamut Adawlut, or a single judge of those courts respectively in cases within the competency of a single judge, are further hereby declared empowered to direct the proper zillah or city magistrate to commit to custody, or hold to bail, and to bring to trial at the regular sessions of the courts of circuit, any person who from proceedings before the above courts may appear to have been guilty of the crime of perjury, or subornation of perjury; and the zillah and city magistrates themselves are vested by the Regulations, with full authority to commit, or hold to bail, for trial before the courts of circuit, all persons who on their own proceedings, or those of their assistants, may be considered guilty of either of the crimes abovementioned. The magistrates of the several zillahs and cities are therefore prohibited from receiving and acting upon any charges of perjury or subornation of perjury, alleged to have been committed in course of any trial, or enquiry of a criminal nature, excepting such as may come before them in the manner provided for by this section.

Further restriction when the offence may be alleged to have been committed before a collector or other public officer.

*Fifth.* The zillah and city magistrates are further restricted from receiving and acting upon charges of perjury, or subornation of perjury, alleged to have been committed before a collector or other public officer, unless such officer shall transmit the proceedings held before him with his opinion that there are grounds for believing such charge to be well founded. In that case, and if the magistrate on inspection of the proceedings, or after making such further inquiry as he may deem necessary, shall be of opinion that there are grounds for bringing the party accused to trial before the court of circuit, he shall pass an order to that effect; and shall at the same time direct, whether the accused shall be held to bail or kept in custody, till the session of the court of circuit.

Provision for the appointment of a public prosecutor, when judged proper by the magistrate to conduct prosecutions under this section, before the court of circuit.

*Sixth.* In all the cases provided for by this section, if there be no private prosecutor to whom the magistrate may judge it proper to leave the prosecution of the case, before the court of circuit, he shall appoint the vakeel of government, or some other qualified person to conduct the prosecution before the court of circuit, and shall furnish him with the requisite information and instructions for that purpose.

Section XXIII, Regulation XVI, 1795, and so much of Sections VII and IX Regulation XXI, 1795, as exempts bramins convicted of murder, in the province of Benares from capital punishment rescinded, from the date on which this Regulation may be promulgated.

XV. By the Laws and Regulations in force throughout the whole of the provinces under this presidency, except the province of Benares, bramins, in common with all other persons, who may be convicted of the heinous crime of murder, are liable to a sentence of death; but in the province of Benares, it is provided by Section XXIII, Regulation XVI, 1795, as well as by Sections VII, and IX, Regulation XXI, 1795, that bramins convicted of murder and liable to a sentence of death, shall, in lieu of such punishment, be sentenced by the Nizamut Adawlut, to transportation for life. This exemption of bramins in the province of Benares from the legal punishment for murder, to which bramins as well as all other persons, are subject in every other part of the country, being obviously repugnant to the principles of equal

justice

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justice; and having operated to prevent the infliction of adequate punishment in some atrocious cases of murder, which have come before the Benares court of circuit and the Nizamut Adawlut; Section XXIII, Regulation XVI, 1795, and so much of Sections VII, and IX, Regulation XXI, 1795, or of any other Regulation in force, as exempts a bramin convicted of murder within the province of Benares, from a sentence of death, are hereby rescinded from the date on which this Regulation may be promulgated. Provided however that nothing in this section shall be understood to render any bramin within the province of Benares, liable to a sentence of death for an offence committed before the promulgation of this Regulation; nor shall the execution of a sentence of death against a bramin take place at a future period, within the limits of any spot of ground held sacred by the Hindoos. The magistrates are enjoined to execute all sentences of death against bramins at some convenient place situate without such limits.

XVI. The provisions contained in Clause Fifth, Section VII, Regulation LIII, 1803, and in Section VIII, Regulation VIII, 1803, for expediting the decision of criminal trials referred to the Nizamut Adawlut in certain cases, having seldom been found available for the purpose intended by them, they are hereby rescinded.

XVII. It is provided in Section VI, Regulation VII, 1803, that if a single judge of the Nizamut Adawlut holding a sitting of that court upon a criminal trial shall not concur with the judge of circuit before whom the trial may have been held, with respect to the conviction of the prisoner, he shall not pass sentence until one or more of the other judges of the court can sit with him upon the trial. This provision which includes all instances of a difference of opinion upon the guilt or innocence of a prisoner, is now extended to all cases in which the judge of circuit, before whom the trial shall have been held, may recommend a mitigation of punishment, upon grounds which a single judge of the Nizamut Adawlut, holding the sitting of that court, may deem insufficient. In such cases, the opinion of a second judge of the Nizamut Adawlut shall be taken upon the mitigation proposed by the judge of circuit; and in giving such opinion he will examine the proceedings upon the trial as far as may be necessary to enable him to form a judgment upon the stated grounds of mitigation.

XVIII. First. When the judge of a court of circuit, referring a criminal trial to the Nizamut Adawlut, shall state circumstances of extenuation, or other special grounds for a mitigation of punishment, in behalf of any prisoner, or prisoners, and a single judge of the Nizamut Adawlut, holding the sitting of that court, shall concur in the mitigation of punishment recommended by the judge of circuit, it shall be competent to the judge, so concurring, to grant the proposed mitigation, and to pass sentence accordingly; in like manner as two judges of the Nizamut Adawlut are declared competent to grant a mitigation, or remission of punishment, whenever

Clause Fifth, Section VII, Regulation LIII, 1803, and Section VIII, Regulation VIII, 1803, rescinded.

Extension of provision contained in Section VI, Regulation VII, 1803, for a sitting of two or more judges of the Nizamut Adawlut to all cases in which a judge of circuit before whom a trial may be held, shall recommend a mitigation of punishment, upon grounds which a single judge of the Nizamut Adawlut holding a sitting of that court, may deem insufficient.

Opinion of a second judge of the Nizamut Adawlut now to be taken in such cases.

A single judge of the Nizamut Adawlut concurs with the judge of circuit before whom the trial may have been held, empowered to grant a mitigation of punishment when it may appear proper, in like manner as two judges of the Nizamut Adawlut are empowered by Section III, Regulation XIV, 1810.

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It may appear just and proper, under the provisions contained in Section III, Regulation XIV, 1810.

A similar power may be exercised by a single judge of the Nizamut Adawlut, sitting on a criminal trial under Section VI, Regulation VIII, 1808, although a mitigation or remission of punishment be not proposed by the judge of circuit referring the trial.

*Second.* A single judge of the Nizamut Adawlut, holding the sitting of that court on a criminal trial under Section VI, Regulation VIII, 1808, is further declared competent to mitigate or remit any part of the prescribed punishment, if it appear to him just and proper on the grounds stated in Section III, Regulation XIV, 1810, although a mitigation or remission may not be proposed by the judge of circuit referring the trial; but in such cases the grounds on which a mitigation or remission of punishment may be granted shall be recorded and communicated to the court of circuit, for the information of the prisoner, or prisoners, as required by the above-mentioned section of Regulation XIV, 1810.

## A. D. 1817. REGULATION XVIII.

**A REGULATION** to modify the rules in force which prescribe an oath of office to be taken by certain native officers ; and to explain and amend other provisions relative to the native ministerial officers and law officers of the civil and criminal courts.—PASSED by the Vice-President in Council on the 16th September 1817 ; corresponding with the 2d Assin 1224 Bengal era ; the 21st Bhadoon 1224 Fusly ; the 3d Assin 1224 Willaity ; the 6th Bhadoon 1874 Sumbut ; and the 4th Ze-kaddu 1232 Higereet

**W**HEREAS doubts have arisen whether the native record keepers attached to the civil and criminal courts of judicature, as well as the telheweldars, or native treasurers of those courts, were meant to be included in the description of native officers required to take the oath prescribed by Section IV, Regulation XIII, 1793, (extended to the province of Benares by Regulation XIII, 1795, and re-enacted for the upper provinces by Section IV, Regulation XII, 1803 ;) also whether a hullufoamah, or solemn declaration, can, in any instance, be admitted, instead of the oath directed to be taken by the native officers of the civil and criminal courts ; and whereas, with a view to maintain the sanctity and obligation of an oath, by confining the requisition of it to cases in which an oath may be necessary for the validity of evidence, and due administration of justice, it appears expedient to modify the rules in force which prescribe an oath of office to be taken by any of the native officers of government ; at the same time explaining and amending the existing provisions for a civil action against the law officers and ministerial native officers of the courts of judicature, in cases of alleged corruption, or extortion : the following rules, including likewise an additional rule for the appointment of the law officers of the provincial, zillah and city courts, have been enacted, to be in force, as soon as promulgated, throughout the provinces dependent on the presidency of Fort William.

**II. First.** Such parts of the Regulations in force as direct that the law officers, or ministerial native officers, of the court of judicature, civil or criminal, or any other native officers employed in the judicial, revenue, or commercial department, or in any public office whatever, shall take and subscribe an oath, previously to their entering upon the discharge of the duties of the office to which they may be respectively appointed, or which, in like manner, prescribe an oath of office to be taken by the moonsiffs and sudder aumeens ; and by the native pleaders attached to the civil courts, are hereby declared subject to the following modification.

**Second.** Instead of the prescribed oath, which is required by the Regulations in force, the several native officers referred to in the above clause, shall hereafter make and

**Preamble.**

Rules in force respecting a prescribed oath, to be taken by certain native officers, declared subject to modification.

A solemn declaration substituted for the prescribed oath in such cases.

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and subscribe, in open court, or in the established public office, before the judges, boards, collectors, commercial residents and agents, or other European authorities to which they may be respectively subject, a solemn declaration to the same effect with the form of oath heretofore prescribed, except that the word "declare" shall be substituted for "swear;" and that the declarer shall not be sworn thereto.

By whom such declarations to be attested, and the above rule to be enforced.

*Third.* The judges, boards, collectors, or other European officers before whom such declarations are required to be made and subscribed, shall attest the same as publicly read and subscribed before them, in pursuance of the above clause, and shall be careful to enforce a due observance of the rule therein contained, by the native officers appointed to act under them respectively.

To what native officers the rules so modified are meant to extend.

\*-III. With the modification contained in the preceding section, the rules in force which require that certain native officers attached to the civil and criminal courts of judicature, and to other public offices, shall take and subscribe an oath, solemnly engaging to perform the duties of the office committed to them, faithfully and uprightly, according to the Regulations, are hereby declared to extend to the native record keepers and tehveeldars, or native treasurers, of the civil and criminal courts, though not specifically named in Section IV, Regulation XII, 1793, and Section IX, Regulation XII, 1803; as well as to all other native officers of government holding any situation of trust and responsibility in the public service.

Provisions for an oath to be taken half yearly by the Mahomedan law officers of the civil and criminal courts rescinded.

IV. The second clause of Section V, Regulation XII, 1793; the second clause of Section V, Regulation XI, 1803; Section XXXVII, Regulation IX, 1793, and Section IX, Regulation VII, 1803, with any other provisions in the existing Regulations, which required the Mahomedan law officers of the civil or criminal courts to take and subscribe an oath on the 1st of January and 1st July of each year, are hereby rescinded.

Modification of existing rules for the nomination and appointment of the law officers of the provincial, zillah and city courts.

V. In modification of the rules contained in Sections III and IV, Regulation VIII, 1809, which relate to the appointment of the Mahomedan and Hindoo law officers of the provincial, zillah and city courts, with a view to admit of the occasional appointment of persons duly qualified, who may not be nominated by the judges of those courts, it is hereby provided, that whenever a vacancy may occur in the station of law officer to any of the above courts, and the court of Sudder Dewanny and Nizamut Adawlut, on receiving the prescribed report of such vacancy, shall for any special reason, judge it proper to nominate and appoint a fit person to fill the vacant office, without calling for, or adopting if received, the usual nomination of a person to succeed thereto by the judge or judges of the court in which the vacancy may have occurred, it shall be competent to the court of Sudder Dewanny and Nizamut Adawlut to make such nomination and appointment; recording on their proceedings the special ground on which the appointment so made may be founded, with any information obtained respecting the age, character, past employments and qualifications,

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qualifications, of the person so appointed to the station of law officer, whether of a zillah, city, or provincial court.

**VI. First.** In explanation of the provisions for a civil action against the law officers and ministerial native officers of the courts of judicature, contained in Regulations XII and XIII, 1793, (extended to Benares by Regulations XI and XII, 1795; and re-enacted for the upper provinces by Regulations XI and XII, 1803;) it is hereby declared that those provisions, the principal object of which is to enable individuals, who may be aggrieved by any of the native officers in question, to obtain redress by an action in the civil courts, are not meant to preclude a criminal prosecution in cases of corruption, extortion or embezzlement, which may appear to call for exemplary punishment.

**Second.** Whenever a law officer, or ministerial native officer, may not, by the result of a civil action, have been subjected to the penalties for corruption or extortion, provided for in the above Regulations, and there may appear to be sufficient grounds for a criminal prosecution against any such officer, on a charge of corruption, extortion or embezzlement, he is hereby declared liable to a criminal prosecution before the zillah or city magistrate, and court of circuit, as provided for in other cases of misdemeanour by the Regulations, and on conviction before a court of circuit, or the court of Nizamut Adawlut, he shall be subject to discretionary punishment to the extent, and under the provisions, stated in Section III, Regulation II, 1813, with respect to native officers convicted of making use of the public money entrusted to their care.

**Third.** Section IV. of the Regulation abovementioned, directing a report of convictions and sentences to the Governor General in Council, for the purpose of enabling him to determine whether the guilty persons should be declared incapable of again serving government, shall also be considered applicable to any convictions and sentences under the present section.

**VII.- First.** The Regulations in force not containing any provision for a summary proceeding, to enquire into and recover embezzlements of money, or other property paid into, or deposited in, the civil or criminal courts of judicature, or received by the nazir, khazanchy, or other native officers of those courts, in execution of decrees, or on account of deposits, or on any other account in their official capacity; and it appearing expedient that provision should be made for this purpose, as well as for compelling the native officers of the civil and criminal courts to deliver up any public accounts which may have been kept and withheld by them; the following rules are enacted for this purpose.

**Second.** Whenever any native officer attached to a civil or criminal court, may be charged with having embezzled any money or other property paid into, or deposited in, the court to which he is attached; or received by him in his official capacity, in execution

Explanation of provisions in force for a civil action against the law officers and ministerial native officers of the courts of judicature, in cases of alleged corruption or extortion.

In what cases a law officer, or ministerial native officer, may be prosecuted in the criminal courts on a charge of corruption, extortion, or embezzlement.

And to what penalties liable on conviction.

Report to be made to Government in such cases.

Proceedings to be adopted for the recovery of money or property deposited in the civil and criminal courts, and embezzled by the native officers.

A summary enquiry to be instituted in such cases by the judge or judges of the court.

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execution of a decree, or on account of a deposit, or on any other account whatever; or whenever the judge or judges of a civil or criminal court may have reason to suspect any such embezzlement, on the part of a native officer attached to the court, they shall immediately institute a summary enquiry to ascertain the truth of such charge or suspicion; and shall, at the same time, require the native officer accused, or suspected, to give sufficient security for his attendance during the enquiry.—In the event of such security not being given, and of its appearing necessary to keep the officer in custody, pending the enquiry, it shall be competent to the judge or judges to order the same; and to keep the party in custody of peons, or to confine him in the jail of the dewanny adawlut, until he shall give the required security, or his detention appear no longer necessary.

**Security to be required for the attendance of the native officer.**

**Or the officer to be kept in custody.**

**On proof of embezzlement the amount how to be recovered.**

*Third.* When the summary enquiry has been completed, if it be established thereby that any money or other property has been embezzled by the person accused, or suspected, in his official capacity, he shall be required to pay the same into court, within such time as may be limited for that purpose; and on his failure to comply with such requisition, it shall be recoverable from him, as well as from his surety, if he have given security on account of the office held by him, by the usual process of recovery, in execution of judgments of the civil courts.

*Fourth.* A similar mode of proceeding shall be observed when a native officer attached to any civil or criminal court of judicature, may withhold any public accounts which it is his duty to prepare and furnish, and the summary judgment in such cases, shall not only order the immediate delivery of the accounts withheld, but shall also impose such fine to government as may appear just and proper, on consideration of all the circumstances of the case, and the situation of the party.

*Fifth.* Any person dissatisfied with the judgment of a zillah or city court, given under the provisions of this section, shall be at liberty to prefer a summary appeal thereupon under the rules applicable to such appeals, to the provincial court of the division; and provided sufficient security be given for performing the decree of the provincial court, on the appeal, the decision of the zillah or city court shall not be carried into execution till confirmed by the provincial court.

*Sixth.* In like manner if the original summary judgment be passed by a provincial court, a summary appeal under the rules applicable to such appeals, shall lie to the court of Sudder Dewanny Adawlut; and the decree of the provincial court shall not be executed till it is affirmed by the Sudder Dewanny Adawlut; if sufficient security be given to perform the judgment of the latter court on the appeal.

*Seventh.* Provided however, with respect to all cases decided, in the first instance, by a zillah or city court, and afterwards determined on appeal by a provincial court, that no second appeal shall lie to the Sudder Dewanny Adawlut except under the prescribed restrictions for second or special appeals, in regular suits.—Nor shall final summary judgments, given under the provisions of this section, be open to a further regular suit; but shall be held conclusive, upon the merits of all cases so adjudged.

**The same course to be pursued when public accounts may be withheld by native officers.**

**A summary appeal may be admitted by the provincial court from decisions passed in such cases by the zillah and city judges.**

**And by the Sudder Dewanny Adawlut from the decisions of provincial courts.**

**Proviso.**

## A. D. 1817. REGULATION XIX.

**A REGULATION** for modifying and amending some of the Regulations in force, relative to the administration of civil justice, and to the authorized summary process for recovery of arrears of rent.—**PASSED** by the Vice-President in Council on the 16th September 1817 ; corresponding with the 2d Assin 1224 Bengal era ; the 21st Bhadoon 1224 Fusly ; the 3d Assin 1224 Willaity ; the 6th Bhadoon 1874 Sumbut ; and the 4th Ze-kadda 1232 Higeree.

**Preamble.**

**W**HEREAS it will promote the convenience of persons residing at a distance from the stations of the provincial courts, to allow an option of instituting in the zillah and city courts, for trial in the first instance, original regular suits in which the cause of action may exceed five thousand, but not be more than ten thousand sicca rupees ; and whereas it will also be convenient to persons residing at a distance from the zillah and city courts, and having to sue for small sums within the cognizance of a moonsiff, that the moonsiffs appointed under Regulation XXIII, 1814, should be empowered to receive and try suits cognizable by them, in which the cause of action may have arisen within three years antecedent to the institution of the suit, instead of one year as limited by Section XIII, of the Regulation above mentioned ; and whereas some of the Regulations now in force for the administration of civil justice, as well as the rules contained in Section XV, Regulation VII, 1799 ; Section XIV, Regulation V, 1800 ; and Section XXXII, Regulation XXVIII, 1803 ; for a summary process on account of arrears of rent, have been found to require amendment ; the following rules are accordingly enacted, for the several purposes above stated, to be in force as soon as promulgated throughout all the provinces immediately subject to the presidency of Fort William.

**II. First.** So much of the rule contained in the first clause of Section V, Regulation XXV, 1814, and of any other Regulation in force, as provides that all original suits, in which the amount or value of the claim calculated in conformity with Section XIV, Regulation I, 1814, and Section XXIII, Regulation XXVI, 1814, may exceed five thousand sicca rupees, shall be instituted and tried in the first instance in the provincial courts, is hereby declared subject to the following modification.

**Parts of former Regulations modified.**

**Second.** If the amount or value of the claim, calculated according to the provisions of the sections above specified, be more than five thousand, but not exceeding ten thousand sicca rupees, it shall be optional with the plaintiff to institute a regular suit, in the first instance, either in the provincial court of the division, under the rules now in force, or in the dewanny adawlut of the zillah or city in which the land, house,

**Option granted to plaintiffs in cases of a certain amount or value to institute their suits, either in the provincial court or in the zillah or city courts.**



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house, or other immovable property, constituting the subject of the suit, may be situated; or if the suit be not for immovable property, in the dewanny adawlut of the zillah or city, in which the cause of action may have arisen; or the defendant may reside as a fixed inhabitant, when the suit against him is commenced.

Explanation as to the option given to plaintiffs in the preceding section.

III. *First.* The option given by the preceding section is not meant to extend to any suits already instituted in the provincial courts; nor to prevent, in future, an occasional exercise of the discretion vested in the court of Sudder Dewanny Adawlut by the first clause of Section III, Regulation XXV, 1814; viz. if it appear, at any time, from the pressure of business in a zillah or city court, that suits depending therein, and exceeding one thousand rupees in amount or value, can be more conveniently and expeditiously tried in the first instance by the provincial court of the division, than by the zillah or city court before which they may be depending, to order the transfer of all or any of such suits to the provincial court.

Plaintiffs may petition a provincial court for the transfer of a suit instituted in a zillah or city court.

But prohibited from instituting a second suit in another court for the same cause of action.

*Second.* It shall be competent to any plaintiff or plaintiffs, who may have instituted, in a zillah or city court, a suit transferable to a provincial court under the above clause, to petition the provincial court, for the transfer of such suit; and if sufficient reason appear for the transfer desired, such as considerable delay in the trial of the suit by the zillah or city court, the provincial court will transmit the petition for the orders of the Sudder Dewanny Adawlut. But all parties in suits instituted in a provincial, zillah or city court, under the option given by Section II, of this Regulation, are strictly prohibited from instituting a second suit in another court on the same cause of action, under penalty of such second suit being dismissed with costs, and a fine to government, as declared in similar cases by Section XII, Regulation III, 1793; and Section IX, Regulation II, 1803.

Penalty in such cases.

The existing provisions relative to cases where the cause of action may be disputed, declared applicable to suits not exceeding two thousand rupees.

IV. The provisions contained in Section IV, Regulation XIII, 1808, and in the second clause of Section VII, Regulation XXVI, 1814, relative to suits in which the plaintiff in a zillah or city court may state his cause of action as not exceeding five thousand sicca rupees, and the defendant may, in answer, deny such statement, and allege the produce, amount or value, to be such as to render the suit not cognizable by the zillah or city court, shall be considered applicable to suits instituted in the zillah or city courts, as not exceeding ten thousand sicca rupees, under the option given by Section II of the present Regulation.

In suits for malgoozary land, not distinctly assessed, how the value of the property is to be assumed.

V. It being declared in Section XXIII, Regulation XXVI, 1814, that in suits for malgoozary land, not constituting an entire estate, distinctly assessed, or a specific proportion of such estate, the value of the land claimed is to be assumed and estimated according to clause third, Section XIV, Regulation I, 1814; and a doubt having been entertained in what manner the rule cited in that clause from Section III, Regulation IV, 1793, and Section III, Regulation III, 1803, should be applied to the valuation of malgoozary lands, not distinctly assessed for the public revenue

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in some cases; particularly in boundary disputes, when the judgment for or against the plaintiff, may not occasion any alteration in the public assessment; it is hereby explained, that in all claims to a right of property, or to a permanent tenure of any description, in malgoozary land, not constituting an entire estate, distinctly assessed, with a sudder jumma payable to government; or a specific proportion of such an estate, so as to come within the rule prescribed in the first clause of Section XIV, Regulation I, 1814, the value of the land sued for is to be assumed at its computed annual rent produce, as described in Section III, Regulation IV, 1793, and Section III, Regulation III, 1803. If the suit be not for a right of property, or for a permanent tenure, but for a farm leasehold of any denomination, during a limited term; or for any interest in the land during a limited period only; the valuation of the plaintiff's claim, in pursuance of the Regulations abovementioned, is to be made according to the nearest estimate that can be formed of the actual value of the thing sued for; or if the suit be for damages, the amount in which the plaintiff is endangered.

In cases where the suit is not for a right of property, how the valuation is to be formed.

VI. *First.* In all original regular suits which may be tried and determined in the first instance by the zillah or city courts, under the provisions of this Regulation, a regular appeal will lie to the provincial court of the division, in pursuance of the third clause of Section III, Regulation XXV, 1814, subject to the general rules in force for such appeals.

Right of appeal under Clause 3, Section III, Regulation XXV, 1814.

*Second.* A second or special appeal from the judgments of the provincial courts in such cases, will also be admissible by the court of Sudder Dewanny Adawlut, under the restrictions established by Section II, Regulation XXVI, 1814.

Second or special appeals on such cases admissible under Section II, Regulation XXVI, 1814.

VII. *First.* The restrictive provisions for second, or special appeals, prescribed in the first clause of Section II, Regulation XXVI, 1814, allow of such appeals being admitted, when the judgment, against which the appeal may be preferred, shall appear to be inconsistent with some established judicial precedent: but this is not understood to include the case of two opposite or inconsistent judgments passed by the same court, or by two courts having jurisdiction in the same suit, or in suits founded on a similar cause of action; though in such cases it is obvious, that one or both of the opposing judgments should be revised. It is therefore hereby provided, in addition to the grounds on which second or special appeals are declared admissible, in the first clause of Section II, Regulation XXVI, 1814, that such appeals may be admitted, when the judgment against which the appeal is preferred shall, from the exhibition of another decree of the same court, or of another court having jurisdiction in the same suit, or in a suit founded on a similar cause of action, clearly appear to be in opposition thereto, or inconsistent with such other judgment.

Special appeals allowed in cases where decrees passed by one or more courts are inconsistent with each other.

*Second.* The court, empowered to receive the special appeal in such cases, shall be competent either to try the merits of the case, and pass a final judgment there-

The court receiving an appeal may proceed and

upon

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Sum a final judgment or refer the suit back for revision.

upon; or to refer the suit back for revision, and a further judgment by the court which shall have passed the original decision, or that given on the first appeal.

Stamp duty to be refunded in cases where appeals are referred for further investigation.

VIII, In the special appeals provided for by the foregoing section, as well as in all other appeals, regular or special, under the Regulations in force, if the suit in appeal be referred back for further investigation and decision, without a judgment upon the merits of the case, the stamp duty paid by the appellant on his petition of appeal shall be returned to him; and if the appellant, or respondent, have appointed a pleader, his fee shall be limited to such sum as may be deemed an adequate compensation for his labour, not exceeding one fourth of the established fee in a regular suit.

Limitation as to the fee to be paid to pleaders in such cases.

Provisions rescinded.

IX. *First.* Sections XXXII and XXXIII, Regulation XXVII, 1814, are hereby rescinded.

Rule for the payment of pleader's fees in summary appeals and original summary suits.

*Second.* The rule prescribed in the eleventh clause of Section III, Regulation XXVI, 1814, relative to the fee receivable by pleaders employed in the summary appeals referred to in that section, shall be hereafter considered applicable to all summary appeals and original summary suits, authorized by the Regulations, in which a pleader or pleaders may be employed.

Deposits on account of pleader's fees in such cases not requisite;

*Third.* It shall not be requisite to make any deposit, in the first instance, for the fees of pleaders employed in summary original suits or appeals. But whatever amount of fees may be awarded to pleaders on the decision of the case, shall be paid into the court giving judgment for the same, by the party or parties declared responsible for the payment thereof, within such period as may be limited by the court for that purpose; under penalty for default of being compelled to make good, by the usual process of recovery, any additional sum, which the court, in consideration of the delay, may judge it proper to award to the pleaders entitled thereto in such cases.

But fees awarded on the decision of a case to be paid into court;

Under penalty of such further sum as the court may direct.

Modification of the rule which requires stamp receipts for pleader's fees.

X. *First.* The rule contained in the third clause of Section XXV, Regulation XXVII, 1814, that for every sum which may be paid by a civil court to a vakeel, on account of his fees, he shall give a receipt, written on the stamp paper prescribed in Section XI, Regulation I, 1814, is modified as follows.

If the fees in several suits do not exceed sixteen rupees, one consolidated receipt for the whole to suffice.

*Second.* When the aggregate amount of fees payable to a vakeel, in two or more suits, may not exceed sixteen rupees, he shall be allowed to give a consolidated receipt for the total amount, specifying the sum receivable in each suit, instead of a separate receipt for the fee payable in each suit.

Discretion vested in the Sudder Dewanny Adawlut and provincial courts to dispense with the rule requiring witnesses, to be examined on written interrogatories in special cases.

XI. The rule prescribed in Section XI, Regulation XXVI, 1814, for the examination of witnesses, whose evidence may be required by the Sudder Dewanny Adawlut, or a provincial court, upon distinct written interrogatories to each witness, to be prepared and signed by the parties or their vakeels, having been found productive of delay and inconvenience, when several witnesses are to be examined on a point

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For points, not before investigated; a discretion is vested in the court of Sudder Dewanny Adawlut, and the provincial courts, to dispense with a strict observance of the rule above mentioned in particular cases, when it may appear advisable. But in such cases the zillah or city judge, by whom the witnesses are to be examined, shall be furnished with specific instructions respecting the point or points, upon which their evidence is to be taken; and the depositions of the witnesses shall, if practicable, be taken by the judge himself, or by his register, instead of being left to a native officer, as authorized in cases of necessity by Section XI, Regulation XXIV, 1814.

On such occasions the judge to have specific instructions and to examine the witnesses himself

XII. By the first clause of Section XIII, Regulation XXIII, 1814, persons invested with the powers of moonsiffs under that Regulation, are empowered to receive and try suits cognizable by them, provided the cause of action shall have arisen within one year previous to the institution of the suit. This period is now extended to three years; and after the promulgation of the present Regulation, it shall be competent to moonsiffs, appointed under the provisions of Regulation XXIII, 1814, to receive, try and determine, any suit cognizable by them, the cause of action in which may have arisen within three years antecedent to the institution of the suit.

Extension of the period prescribed by clause 1, Section XIII, Regulation XXIII, 1814, for the trial of suits by moonsiffs

XIII. *First.* By Section XXI, Regulation V, 1812, and the second clause of Section II, Regulation VII, 1813, it is provided that suits instituted under Regulation V, 1812, shall, with a view to expedite their decision, be referred, as soon as instituted, for the report of the collector of the district. In some instances however a strict adherence to this rule has, from different causes, operated to retard, instead of expediting, the investigation and decision of the suits in question. The judges of the zillah and city courts are therefore declared at liberty, in future, on the institution of summary suits, under any of the provisions of Regulation V, 1812, either to refer the same for adjustment, and report to the collector of the district; or to investigate and decide such suits themselves, without reference to the collector; or to refer them for investigation and decision to their registers; as may appear most conducive to the speedy trial and determination of the suit in each instance.

The several judges invested with a discretionary power to try summary suits instituted under Regulation V, 1812.

Or to refer them to the collector.

Or to their registers as may appear best calculated to insure a speedy decision.

*Second.* The judges of the zillah and city courts are at the same time enjoined to refer, for the collector's adjustment and report, as heretofore, all suits which are so referrible under the Regulations in force; and which the judges themselves, or their registers, may be unable to try and determine without delay.

Such suits however to be referred to the collectors when the judges or registers cannot decide upon them without delay.

XIV. A question having arisen whether the registers of the zillah and city courts are competent to refer suits to the collectors for adjustment and report; it is hereby explained, that registers when not officiating as judges, are not competent to make such references to the collectors of their own authority. But whenever a regular suit of the nature described in Section XIII, Regulation VIII, 1794, and Section II, Regulation VII, 1813, or a summary suit referrible to the collector of the

Registers when not officiating as judges declared incompetent to refer suits to the collectors.

Rule of proceeding in cases where suits instituted under the existing Regulations may be depending before a register.

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The district, under Section XV, Regulation VII, 1799, Section XIV, Regulation V, 1800, Section XXXII, Regulation XXVIII, 1803, Section XXI, Regulation V, 1812, or any other Regulation in force, may be depending before the register of a zillah or city court; and the register shall be of opinion that an adjustment of accounts by the collector will facilitate the investigation and expedite the decision of such suit; he shall report the same to the judge; who, if he concur with the register, will make the proposed reference to the collector, in the manner prescribed by the Regulations; and on receiving the collector's report, will transmit the same to the register, before whom the suit may be depending; unless the judge shall think it proper to recall the suit from the register's court, and transfer it to his own, as authorized, for the more speedy administration of justice, or other reason, by Section X, Regulation XXIV, 1814.

Petitions for the arrest of defaulting under-tenants, and their sureties may be presented to the judge of the zillah or city in which the defaulter or surety may reside.

**XV. First.** The provisions for a summary process against defaulting under-tenants and their sureties, contained in Section XV, Regulation VII, 1799, Section XIV, Regulation V, 1800, and Section XXXII, Regulation XXVIII, 1803, suppose the under-tenant and his surety, at the time of a petition being preferred for their arrest, to be within the zillah or city jurisdiction, in which the land for which the arrear of rent is claimed (or the greater part of it, if in two jurisdictions) may be situated as the summary enquiry provided for could not be regularly or conveniently made in a different jurisdiction, but to prevent an evasion of the authorized process against defaulting under-tenants and their sureties, it is necessary to make further provision for their arrest, when they may not reside, or be found, within the limits of the zillah or city, in which the land tenanted by the defaulter is situated. It is therefore hereby provided, that whenever a dependant talookdar, kutkinadar, jotedar, or other under-tenant, or the surety of any such under-tenant, from whom an arrear of rent may be due, and who may have failed to discharge the same on demand, may reside, or be in a zillah or city, different from that wherein the land, for which the arrear of rent is due, may be situated, it shall be competent to the zemindar, or other proprietor or farmer of the land, to whom the arrear of rent may be owing, or his authorized agent, to present a petition specifying the particulars stated in the following clause, and praying for the arrest of the defaulter, or his surety, to the judge of the zillah or city in which the defaulter or his surety may reside, or be; and the judge receiving the same shall immediately issue the process of arrest, directed in the third clause of Section XV, Regulation VII, 1799; and the corresponding clause of Section XIV, Regulation V, 1800, and Section XXXII, Regulation XXVIII, 1803.

Who is immediately to issue the prescribed process of arrest.

What such petition is to contain.

**Second.** The petition of arrest, to be presented under the above clause, as well as any petitions for the arrest of defaulting under-tenants or their sureties, which may be hereafter presented under the Regulations above mentioned, shall specify, besides the name and residence of the defaulter and surety, and the mehal for which the balance of rent is claimed, the annual jumma of such mehal; the amount demandable for

## **A. D. 1817. REGULATION XIX.**

for the kiets of the current year which may have become payable, the amount received from the tenant or his surety, and the balance actually due for the payment of which the arrest is desired. The petition shall also state whether the arrear claimed has been demanded from the defaulter or his surety, and the result.

*Third.* If the defaulter, or surety, against whom process of arrest may be issued under the first clause of this section, be found within the jurisdiction of the judge by whom the same shall have been issued; and after being arrested, he shall not pay the arrear demanded, or satisfy the party causing his arrest; and shall, in consequence be brought to the local civil court, in pursuance of the rule contained in the Regulations before noticed; the judge shall call upon him, to shew cause why he should not be sent to the judge of the zillah or city, in which the land, for which the arrear is claimed (or the greater part of it, if in two jurisdictions) may be situated; and if sufficient cause be not assigned, or substantial security given for attending the judge of the jurisdiction in which the land is situated, within a limited period, the party arrested shall be sent in custody of mofussil peons (at the charge of the party claiming the arrear) to the judge of the zillah or city, in which the land may be situated. A statement of the case with the original petition of arrest, and all other papers connected with it, shall at the same time be transmitted for the information of the judge, to whom the party in arrest may be sent in such cases. The petition of arrest, and all papers connected with it, shall likewise be sent to the judge of the zillah or city in which the land may be situated, whenever the party arrested may assign sufficient cause for not being sent as directed; or may give security for his attendance, which shall be accepted whenever substantial security may be offered.

*Fourth.* When a defaulting tenant, or his surety, may be brought to the court of the zillah or city in which the land is situated, or may attend under security for his appearance, in pursuance of the foregoing clause, the judge shall proceed, as directed in similar cases, by the Regulations in force, when the defaulter or surety may have been arrested within his own jurisdiction.

**XVI. First.** Section XV, Regulation VII, 1799; Section XIV, Regulation V, 1800, and Section XXXII, Regulation XXVIII, 1803, not containing any provisions for admitting alleged defaulters, or their sureties, to bail, whilst the prescribed summary enquiry is depending before the judge, register or collector; the following additional rule is enacted for the guidance of the zillah and city court in such cases.

*Second.* Whenever a dependent talookdar, kutkinadar or other under-tenant of land, or his surety may be arrested, on the demand of an arrear of rent, under the summary process authorized by the Regulations specified in the preceding section, and may deny that the arrear demanded or any part of it is owing; and such under-tenant, or surety, shall tender sufficient security for his personal attendance during the prescribed summary enquiry; it shall be competent to the judge to receive such security,

and

How the judge is to proceed in case a defaulter after such arrest shall not satisfy the party aggrieved.

Or shall not furnish security for his appearance before the judge of the zillah on which the land is situated.

What documents are to accompany the defaulter on such occasions.

In cases when security is furnished, the petition of arrest and papers connected with it only to be forwarded.

Judge of the zillah or city where the land is situated will then proceed against a defaulter as directed by the Regulations.

Rule for admitting defaulters and their sureties to bail.

Judge on receiving sufficient security, may during a summary enquiry admit a defaulter or surety to bail.

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and to admit the tenant or surety to bail, until the enquiry directed to be made in such cases, by examining the accounts and vouchers of the parties, or by referring the case for adjustment to the collector of the district, shall be completed, and a decision passed thereupon.

## A. D. 1817. REGULATION XX. X

**A REGULATION** for reducing into one Regulation, with amendments and modifications, the several rules which have been passed for the guidance of darogahs and other subordinate officers of police ; for modifying the existing rules concerning the resistance or evasion of criminal process, and for requiring further aid to the police, in certain cases, from proprietors and farmers of land, and their local managers, as well as from the munduls and other heads of villages.—**PASSED** by the Vice President in Council, on the 7th October 1817, corresponding with the 23d Assin 1224, Bengal era ; the 12th Assin 1225 Fusly ; the 24th Assin 1225 Willaity ; the 12th Assin 1874 Sumbut ; and the 25th Zekaad 1232 Higeree.

**WHEREAS** it is desirable, that the several rules which have, from time to time, been enacted respecting the duties of the darogahs and other subordinate officers of police, should be revised ; and that such provisions as may be necessary should be framed into one Regulation, for the better information and guidance of those officers ; and whereas it is expedient that the rules at present in force, regarding the resistance or evasion of criminal process, should be modified ; that the proprietors and farmers of land and their local managers, and the munduls, putwarries and other heads of villages, should be declared responsible for reporting unnatural or suspicious deaths, and for affording due information to the police, whenever any individual of suspected conduct, released from the criminal jail, may resort to dishonest means of livelihood ; also that they should be declared liable to penalties for neglecting to afford due aid in supporting the processes of the magistrates, and darogahs of police ; and that further provision should be made for transmitting the thannah reports, and other papers to and from the magistrates court where there may not be any public dawks, the following rules have been enacted, to be enforced on their promulgation throughout the provinces subject to the presidency of Fort William.

**Preamble,**

### *Provisions of Regulations rescinded.*

**II. First.** Sections VII, VIII, IX, XI, XII, XIII, XIV, XV, XVII, XVIII, XIX, and XXI, of Regulation XXII, 1793 ; the seventh clause of Section XX, Regulation XXIX, 1793 ; the seventh clause of Section X, Regulation XXXI, 1793 ; Sections VII, VIII, IX, XI, XII, XIII, XIV, XVI, XVII, XVIII, and XIX, of Regulation XVII, 1795 ; Section IX, of Regulation IV, 1797 ; Section VI, of Regulation IV, 1798 ; the third clause of Section XI, Regulation VI, 1801 ; Section VII, Regulation XXXII, 1803 ; Sections VII, VIII, IX, XI, XII, XIII, XIV, XV, XVII, XVIII, XIX, XX, and XXV, of Regulation XXXV, 1803 ;

**Provisions of Regulations rescinded.**

the



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the seventh clause of Section X, Regulation XXXVII, 1803; Sections V, and VI, of Regulation XLI, 1803; Sections XII, XIII, XV, XVI, XVII, and XVIII, of Regulation IX, 1807; Sections IX and XII, of Regulation XIV, 1807; Sections VI and VII, of Regulation XVII, 1810, and Sections II and VII, of Regulation VII, 1811, are hereby rescinded.

Provisions of Regulations rescinded.

*Second.* So much of Sections X and XVI, Regulation XXII, 1793; Sections X and XV, Regulation XVII, 1795; Section IX, Regulation VII, 1799; Section III, Regulation IV, 1800; Sections X and XVI, Regulation XXXV, 1803; Section XIV, Regulation IX, 1807; and Section XI, Regulation I, 1811; as respects the police darogahs or other subordinate officers of the police, is also rescinded.

### *Appointment and removal of Police Officers.*

Appointment and removal of police officers, in whom vested.

*III. First.* By the provisions of Regulation XVII, 1816, the zillah and city magistrates (and in certain cases, the superintendants of police) are vested with the power of appointing the cutwals, darogahs and other subordinate officers of the police, of removing them from one station to another, and of suspending and dismissing them from office in consequence of neglect, misconduct, or incapacity.

Cutwals and darogahs not to nominate subordinate police officers, except when especially directed.

*Second.* Such part of Section XII, Regulation V, 1814, as relates to the nomination and removal of naehs, jemadars and burkendauzes, acting under cutwals and darogahs, is hereby rescinded, nor shall the cutwals or darogahs nominate individuals to supply vacancies in their subordinate establishments, except in instances in which they may be especially directed to do so by the magistrate.

Bound to be furnished by magistrates to police officers on their appointment.

*Third.* The magistrates will furnish to each police officer on his appointment, a written document under his official seal and signature, specifying the station to which the officer is appointed, and requiring him to perform the duties of it, in conformity with the Regulations.

### *Relative rank and general functions of Officers on the Thannah Establishments.*

General duties of darogahs and their control over the subordinate thannah officers.

*IV. First.* The darogahs of police shall exercise a general control over the mohurers, jemadars and burkendauzes attached to their respective thannahs; it shall be the duty of a darogah, or other officer of police in charge of a thannah, to conform to all instructions he may receive from the magistrate, to whom he may be subordinate; to preserve the peace within the limits of his jurisdiction; to report to the magistrate all occurrences connected with the police, which may come to his knowledge; to prevent, as far as possible, the commission of all criminal offences; to discover and apprehend offenders; to execute process and obey all orders transmitted to him by the magistrate, and to perform such other services as are prescribed in the Regulations.

Rank and special duties of the mohurer.

*Second.* The mohurer shall be considered the second officer at a thannah, and in the absence of the darogah from his station, shall exercise the powers vested in that

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that officer by the provisions of this Regulation. It shall be the special duty of the mohurer, to preserve the records of the thannah, and to write the reports and other papers under the direction of the darogah.

*Third.* The jemadar shall be considered as the third officer at a thannah, and in the absence of the darogah and mohurer from the thannah station, shall exercise the same powers as are vested in the darogahs of police by the provisions of this Regulation. The police jemadars, whether stationed at the thannah, or at out-posts, shall act under the orders of the darogah of the division, and shall see that the burkundauzes are in attendance at their posts, that their arms and accoutrements are kept in a state of efficiency; and that all prisoners and property brought to the thannah are duly guarded during the time they may remain under the custody of the police burkundauzes attached to the station.

Rank and special duties of the jemadar.

*Fourth.* The officers of police, in pursuance of Sections VI, and VII. Regulation X, 1808; Sections VIII, XI, and XII, Regulation XVI, 1810; and Section XI, Regulation XVII, 1816, are required to aid and support the superintendants of police, and the joint and assistant magistrates, to whom they may be respectively subordinate, in the execution of any process issued by them under their official seals and signatures; also to furnish the superintendants of police, and the joint and assistant magistrates, with every information required from them, as well as generally to obey all orders issued to them by the superintendants of police, and by the joint or assistant magistrates, on pain, in case of neglect or failure, of being fined, suspended, or dismissed from office, under the authority, or at the representation of the superintendant of police, or joint or assistant magistrate, according to the provisions established by the general Regulations for the punishment of offences of that description.

Police officers generally to obey the orders of the superintendant of police and joint and assistant magistrates.

*Rules regarding the use of a Seal of Office at each Thannah, and the badges, arms and accoutrements of the Police Burkundauzes.*

*V. First.* All cutwals and police darogahs shall henceforward use a brass seal of office, an inch in diameter, and made after the form described in the margin, the name of the cutwalee or thannah, and the name of the city or zillah in which it may be included, being engraved on the surface of the seal.

Cutwals and police darogahs to use a seal of office: its description.

*Second.* The police burkundauzes shall wear brass badges, engraved with the name of the police station, and of the district in which they may be employed; and shall be armed with a spear, and a sword and shield; or with a matchlock, sword and shield, or with a spear and matchlock, as circumstances may render expedient, they shall also be uniformly dressed in such manner as may be prescribed by the court of Nizamut Adawlut through the superintendant of the police.

Burkundauzes to wear a certain badge: its description. Their arms and uniform.

## **A. D. 1917. REGULATION XX.**

### ***Powers and Limits of Police Officers employed at Out-posts.***

Police officers stationed at outposts have to be guided.

**VI. First.** Police officers stationed, with the sanction of the civil or city magistrate, at any choken, village, ghaut, highway, or other place within the limits of a thannah, in pursuance of Section VIII, Regulation XVII, 1916, shall be guided by the following rules as prescribed in that section.

Officers so stationed to perform their prescribed duties under the control of the darogah.

**Second.** Jemadars, burkundauzes and other police officers stationed at outposts, or subordinate chokers, shall act under the control of the darogah or head police officer of the thannah, to which they may be attached, and shall afford their aid for the prevention of crimes, the apprehension of criminals, and generally for the preservation of the peace, and shall report to the thannah all occurrences relating to matters of police, which may come to their knowledge.

They may apprehend certain description of criminals without a warrant from magistrate or darogah.

**Third.** The officers of police stationed at out-posts shall be competent to apprehend, without a written charge or warrant, persons found in the act of committing a breach of the peace, or against whom a hue and cry shall have been raised, or who shall be detected with stolen goods in their possession, or who may be liable to apprehension, under the rules in force, as proclaimed, or notorious robbers, or vagrants, without any ostensible means of subsistence; but no person shall be arrested by the subordinate officers of police, except in cases of the nature above noticed, unless under the special warrant of the magistrate, or of the darogah of the thannah to which the out-post may be attached.

Persons so apprehended to be forwarded immediately to the thannah, with a report on the case.

**Fourth.** Persons apprehended by the subordinate establishments of police shall be forwarded immediately to the thannah to which the out-post may belong, accompanied by an explanation of the circumstances of the case, and of the causes which may have led to the apprehension of the prisoner.

### ***Rules regarding the application of Police Officers for leave of absence, and the deputation of Burkundauzes to the sudder station.***

Appointment and salary of persons officiating for police officers how to be regulated.

**VII. First.** Any police darogah, mohurer, or jemadar, applying for leave of absence, shall name an individual for the approval of the magistrate, to officiate for him during his absence, and the person who may be appointed to act, shall receive, during his absence, the entire allowances of the police officer for whom he may officiate, or such part thereof as the magistrate shall, in each instance, judge it proper to fix. The burkundauzes shall submit their applications to the magistrate through the darogahs; and the persons nominated to act during their absence, shall receive the entire salaries of the individuals for whom they may officiate, or such part thereof as may be fixed by the magistrate. In the event of the absentee's exceeding the period of his leave, the darogah shall report the circumstance for the orders of the magistrate.

Burkundauzes dispatched to magistrate's court, shall be provided with a

**Second.** Whenever a burkundauze may be dispatched to the magistrate's court, the jemadar, or other police officer, by whom he may be dispatched, shall deliver

## A. D. 1817. REGULATION III.

to him a certificate, showing the name of the burkundauze, and the date and time of his dispatch, agreeably to the first three columns of the form No. 1, of the Appendix.

Form No. 1. Appendix

*Third.* On the arrival of the burkundauze at the sudder station, he shall proceed to the nazir of the foudarry court, who will insert, in the fourth column of the paper, the date and hour of his arrival, and in the event of any unnecessary delay appearing on comparing the date of his dispatch from the thannah with that of his arrival at the sudder station, will report the circumstance to the magistrate.

Which is to be presented to the nazir, who shall report any delay.

*Fourth.* On the departure of the burkundauze from the sudder station, he shall again proceed to the foudarry nazir, who will note, in the fifth column, the date and time of his departure, and on his arrival at the thannah station, the certificate shall be delivered up to the darogah, mohurer, or jemadar, who, in the event of the burkundauze having loltered on the road, will report the particulars for the orders of the magistrate.

Burkundauze how to proceed on leaving the sudder station.

### *Records to be kept and preserved at the Thannah.*

**VIII. First.** The police darogahs and mohurers are enjoined to bind up separately from all other records, and to preserve with care the several Regulations of government, which may be sent to their respective thannahs; and they shall also cause the same to be publicly read for general information, and shall take every favourable occasion of promulgating the rules therein contained.

Police darogahs and mohurers carefully to preserve and to promulgate all Regulations of government sent to their thannahs.

*Second.* The books and registers alluded to in the following clauses of this section, shall be kept up with regularity at the several police thannahs; and darogahs and mohurers, on their appointment to police stations, are required to inspect the records, and to report to the magistrates on the general state of the thannah papers, within ten days after receiving charge. Every police darogah, or thannah mohurer, receiving charge of the records of a police station, shall sign a list of the records delivered over to him, which shall also be signed by the officer delivering over charge; and the list so authenticated by their joint signatures shall be transmitted to the magistrate. An exact counterpart, authenticated in the same manner, shall also be kept at the thannah. The magistrates and their assistants, and the joint magistrates, who may occasionally visit the thannahs, shall avail themselves of any opportunities that may offer to inspect the records, and in the event of their being found deficient, or of any gross neglect in the care of them, the police darogah and mohurer, who may appear culpable, will be liable to dismissal, or to a fine, according to the circumstances of the case.

Rules for the care, preservation and inspection of the thannah books and registers.

*Third.* The police darogahs shall severally be furnished with blank books for diaries; each book containing 100 pages, to be signed and numbered by the magistrate's assistant, if on the spot, or, in his absence, by the serishtadar, or other head ministerial officer of the magistrate's court.

Darogahs to be furnished with blank books for diaries.

*Fourth.*

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**In these every occurrence to be entered.**

**What circumstances to be entered when prisoners are apprehended.**

**The purport of every petition, &c. to be entered.**

**Penalty for darogah's omission or misrepresentation of any official act.**

**Entries how to be attested.**

**Rules for furnishing new diary books, when required.**

**A book to be kept, containing copies of reports, returns, &c.**

**A book to be kept, containing copies of perwannahs and orders.**

**A book to be kept, containing copies of chelauns.**

**A book to be kept, containing copies of register of heinous offences.**

**A book to be kept, containing copies of lists of stolen property.**

**A book to be kept, containing copies of proclaimed offenders.**

**Fourth.** Every occurrence which may be brought to the knowledge of the officers of police, shall be entered in the thannah diary, on the day on which the event may be communicated to the thannah, and if no incident shall be communicated, it shall be so noted in the diary.

**Fifth.** The darogahs shall enter in their diaries the names of all persons whom they may apprehend, the crime or misdemeanor with which they may be charged, the date of their apprehension, and the date on which they may be dispatched to the magistrate.

**Sixth.** The purport of every petition, representation, complaint, or information presented to any officer of police, shall be recorded in the diary of the thannah, whether the same may be cognizable by the native officers of police or otherwise; and if it be proved, that a darogah apprehended any persons, or issued orders, or done any official act, which he may not have inserted and truly stated in his diary, or that any occurrences have been wilfully omitted, he shall be punished with dismissal from office, or by such other penalty, as the circumstances of the case may appear, under the general Regulations, to require.

**Seventh.** Every entry made in the diary shall be attested by the signature of the individual by whom it may be recorded.

**Eighth.** The darogah, or other officer of police, presiding at the thannah, shall be careful to report to the magistrate, at least a month before their diary books are likely to be written through, in order that fresh blank books may be furnished to the thannah, without delay, and those diary books which may be completed shall be deposited in the records of the thannah.

**Ninth.** A book shall be kept, containing copies of all urzees, kyfents, reports and returns, made by officers of the thannah establishments to the magistrate's court.

**Tenth.** A book shall be kept, containing copies of all perwannahs and orders of every description received from the magistrate's court.

**Eleventh.** A book shall be kept, containing copies of chelauns or dispatches of prisoners, and property forwarded to the magistrate's court, drawn out agreeably to the forms Nos. 2 and 3, of the Appendix.

**Twelfth.** An abstract register shall be kept of robberies and other heinous offences, ascertained to have been committed within the jurisdiction of the thannah, in each month, drawn out after the form No. 4, of the Appendix.

**Thirteenth.** A book shall be kept, containing copies of all lists of stolen property delivered into the thannah by prosecutors or others.

**Fourteenth.** A register shall be kept, according to the form No. 5, of the Appendix, of offenders who may have been proclaimed, or may have broken jail, or have otherwise eluded the pursuit of justice; and for whose apprehension orders may have been received at the thannah from the magistrate's court.

**Fifteenth.**

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*Fifteenth.* A list shall be kept of the names of the villages comprised within the limits of the thannah, showing the names of the proprietors and of the village watchmen, agreeably to the form No. 6, of the Appendix.

A book to be kept containing copies of a list of villages comprised within the thannah jurisdiction.

*Rules regarding returns, reports and statements to be sent to the Magistrates, or to the Superintendants of Police.*

*IX. First.* An extract from the thannah diary, in lieu of the buhee silaheut at present in use, and from the abstract register of robberies and other heinous offences, No. 4, above prescribed, containing the entries made during the month, shall be prepared verbatim, and transmitted to the office of the magistrate, on or before the 5th of every ensuing month.

What abstracts and other documents shall in future be transmitted to the magistrate.

*Second.* Together with the monthly reports to be transmitted to the magistrate as above directed; the darogahs of police shall forward, under their official signature, and in charge of a burkundauze, a list of the police officers on the thannah establishment, entitled to receive pay from government for the past month, after the form No. 7, of the Appendix. This list, the burkundauze will deliver to the treasurer of the fouzdarry court, on his receiving the pay of the thannah establishment, which shall forthwith be conveyed to the darogah, or other police officer in charge of the thannah, who will pay the amount due to the several individuals of the establishment, and transmit their receipts with his own, in a paper, corresponding in substance with the form abovementioned, to remain with the records of the magistrate's court.

A list of the thannah officers entitled to pay, to be sent monthly to the magistrate. Rules for their payment.

*Third.* In preparing the abstract monthly statements of heinous offences according to the form No. 4, of the Appendix, the darogahs shall pay strict attention to the following rules.

Rules to be observed in preparing abstract monthly statement of heinous crimes.

*Fourth.* The darogahs shall, as far as may be in their power, distinguish wilful and malicious murder (kutle umd) from every other species of homicide, reporting all cases of murder not accompanied with robbery or burglary under the 5th head, and cases of homicide of every other description, excepting homicide in affrays, under the 11th head of the statement.

Wilful murder to be particularly distinguished.

Rules for the classification of homicide, not wilful.

*Fifth.* Under the 6th head the darogahs shall insert all cases of wounding, or violent corporal injury inflicted maliciously, and not in the prosecution of robbery or burglary, or during an affray.

Malicious wounding or injuring simply, how to be classed.

*Sixth.* Under the 12th head of the statement all affrays and riots shall be entered, in which any considerable number of persons may have been concerned, or in which any person may have been killed or wounded, and the public peace may have been disturbed; but it shall not be necessary to include in this column cases of assault and battery, or drunken broils, in which only a few individuals may have disputed, and no very serious personal injury may have been sustained.

Affrays attended with wounding or killing, or violent breach of public peace, how to be classed.

Drunken broils and assaults not to be included under that head.

*Seventh.* Under the 13th and 14th heads of the statement, all cases shall be entered, in which any person may enter or attempt to enter by day or by night, by break-

All cases of entering or breaking into, at any time, or by any means,

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**Temples, boats, &c. with intent to rob, how to be classed.**

ing any dwelling house, ware-house, store-house, or other building, or place used for the custody and preservation of property, whether the same be constructed of stone, brick, mud, bamboo, grass, or other materials, or into a tent, boat, or other place of habitation, whether such entry be effected by cutting through or under the wall, or by forcibly raising the roof of the house, or by any other means attended with breaking, and whether in pursuance of the intent to commit such robbery, any property shall be carried away or otherwise.

**Receiving of stolen property how to be classed.**

*Eighth.* Under the 17th head all cases shall be entered of receiving, vending, or concealing, or melting down stolen property.

**Arson ditto.**

*Ninth.* The 18th head of the statement shall include only those cases of arson, in which any habitation or other property may appear to have been purposely and maliciously fired, and the darogah shall not include accidental fires under this head.

**Accidental fires not to be included.**

*Tenth.* Under the concluding or 20th head of the statement, the darogah shall insert all cases in which the person destroyed may appear to have been the immediate and voluntary cause of his own death.

**Suicide how to be entered.**

**All heinous offences to be reported, though the offenders be not discovered.**

*Eleventh.* The darogahs shall report in the statement above prescribed, all heinous offences which may come to their knowledge, whether the offenders may be apprehended or otherwise, and shall distinguish in the third column, all attempts in which the criminal intent may have failed; inserting in the 2d column, only those cases in which the crime may have been actually perpetrated.

**Unsuccessful attempts to commit offences how to be distinguished.**

**Form No. 4, to be periodically transmitted to the superintendants of police.**

*Twelfth.* A monthly report of crimes and offences agreeably to the form No. 4, of the Appendix, shall be transmitted by the police darogahs, from each police thannah, to the office of the superintendant of police for the division, on or before the 5th of the ensuing month.

**Rules for writing and dating of all reports; examinations to be transmitted to the magistrates.**

*Thirteenth.* The reports and returns submitted by the police officers to the magistrates, shall be written in a clear and legible hand, and shall bear at the foot of the writing the date of the dispatch, according to the era current in the district, and the signature of the police officer by whom the report may be made, and, when the circumstances may admit, the seat of the thannah; all examinations taken and proceedings held by the police officers, shall be superscribed with the date and month of the era current in their several jurisdictions.

**Rules to be observed in transmitting papers to Fouzdarry court.**

*Fourteenth.* The papers transmitted by the police officers to the fouzdarry court shall be strung on a thread, the ends of which shall be secured with wax, and the record of each case shall be made up in a separate envelope, and addressed to the magistrate of the district, the name of the thannah, from whence the report may be made, shall be marked on the envelope.

**Limited time for the execution of orders and processes to be specified by the magistrate.**

*Fifteenth.* Every process and order addressed by a magistrate to a police officer shall limit a certain time in which it is to be served, executed, and returned to the magistrate's court.

*Sixteenth.*

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**Sixteenth.** The returns to all orders and processes, and the certificates of the due publication of all proclamations, addressed by the magistrates to the police officers, shall be endorsed, as far as the size of the paper will admit, on the original order or process; and if the length of the return should render it necessary, a separate paper shall be annexed to the original document; and a copy of the return shall be entered in the register prescribed by Clause IX, Section VIII, of this Regulation.

Returns to orders, how to be written and registered.

**Seventeenth.** The police officers shall, to the extent of their ability, carry into effect such instructions as they may receive, within the period specified in the magistrate's order, and if the directions contained in the order or process cannot be entirely carried into effect within the time limited, a report shall be made, at the expiration of such period, of the cause of delay, with specific information when a further and full return will be made, and the original order or process shall be sent to the magistrate, with such final return, endorsed as directed in the preceding section.

In the event of delay in making such returns, the cause to be reported at the expiration of the specified time.

**Eighteenth.** The darogahs and mohurrers shall be careful to render their reports and returns in as precise terms as possible, and they shall refrain from re-capitulating in their returns a detail of the magistrate's orders, and when referring to such orders, shall merely state summarily the nature of the case and the date of the perwannah.

Reports to be accurate and concise.

### *Rules regarding dawks, and for expediting the transmission of official papers to and from the Thannahs.*

**X. First.** To facilitate the communication between the magistrate's court and the stations of the darogahs of police, and to enable the magistrates to obtain speedy information of the occurrence of crimes, as well as with the view of preventing the unnecessary confinement of persons, who may be detained in custody, pending an enquiry of the police officers, or trial before the magistrate, the magistrates and the native officers of police are required to attend, as far as may be practicable, to the directions contained in the following rules.

Importance of securing the speedy transmission of information.

**Second.** The superintendence of the dispatch by dawk of perwannahs to the police darogahs, and of reports from the officers of police to the magistrate's court, shall be entrusted to the nazirs of the criminal courts, and to the thannah mohurrers, who shall be held responsible for the speedy transmission of the packets to and fro; and shall report to the magistrates all instances of delay which may come to their knowledge.

Superintendence of despatches by dawk, in whom vested.

**Third.** As far as circumstances may admit, the magistrate's orders to his police officers, and the thannah reports, whether addressed to the magistrates or to the superintendants of police, shall be transmitted by the government dawk; and all dawk officers in the Company's provinces are required to receive, and convey, free of expense, such orders and reports, the same being superscribed with the name and official designation of the public officer by whom the papers may be dispatched; together with the words "kar surkar," to denote that they relate to the public service.

All government dawk officers, throughout the provinces, to convey orders and reports free of expense.

**Fourth.**



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Establishment of subordinate dawk stations.

Peons and pykes to be appointed by zemindars for this duty, where there is no regular dawk.

General duties of darogahs on this point.

Penalty in case of landholders, &c. neglecting the above rule.

Rule to prevent delay in transmission of papers by such dawks.

Further rules for the transmission of thannah reports.

Darogahs to transmit by dawk or otherwise, reports and papers entrusted to them by the native commissioners.

**Fourth.** In cases, where a thannah station may be situated at a considerable distance from the route of the government dawk, the magistrates, in communication with their police officers, shall establish dawk stations between the thannahs, or from the thannahs to the magistrate's court at proper distances, according to local circumstances, but not in any instance exceeding five coss, and the land proprietors and farmers of land, or their local managers, shall be called upon to name and appoint the requisite number of peons or pykes (not being village watchmen) for the performance of this duty. In places where no establishment of regular police officers may be stationed, they shall also be required to fix on a particular house in the village, where the peons or pykes may at all times be found without delay, and to name the mundul, putwarree or other person in the village, whose business it shall be to receive and forward the papers transmitted by the dawk; a statement after the form No. 8 of the Appendix, shall be prepared and kept at each thannah station; and it shall be the duty of every darogah, on his appointment to a thannah, to see that this paper is included in the records of the thannah, as well as that the dawk for the conveyance of the magistrate's perwannahs and the thannah reports is duly regulated, and the peons or pykes maintained by the land holders, farmers or managers, at the appointed stages.

**Fifth.** The landholders, proprietors and farmers of land, with their local managers and heads of villages, shall be held responsible for a due observance of the foregoing rules, and shall be liable, on proof before the magistrate, of wilful disregard of these provisions, especially after a previous admonition, to be punished by a fine, not exceeding 100 rupees, commutable, in default of payment, to confinement in the civil jail for any period, not exceeding one month.

**Sixth.** The nazir of the magistrate's court shall forward by the dawk, every day at the same hour (except when otherwise specially instructed by the magistrate) all perwannahs and papers addressed to the respective thannahs, which the magistrate may direct to be transmitted by the dawk; and shall write on the envelope of each packet the date and time of dispatch. It shall likewise be the duty of the nazir to record on the envelope of all reports received from the thannahs, the date and time of their receipt.

**Seventh.** All reports and papers transmitted by the dawk from the police thannahs shall be addressed to the magistrate, and the seal of the thannah shall be affixed to the envelope; the mohurrer shall specify on the envelope the date and hour of dispatch; and in cases where the papers of one thannah may be left at another thannah on their transmit to and from the magistrate's station, the mohurrer of the latter thannah shall forward such papers; noting on the back of the envelope, the date and hour of the arrival and departure of the dawk.

**Eighth.** The police darogahs and their mohurrers are required to forward by the thannah-dawk, or by the hands of their burkundazes, as occasions may offer, such reports and papers, as may be sent to them by the native commissioners, for the trial

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of civil suits, for the purpose of transmission to the judge of the district; and they shall grant receipts to the native commissioners for such papers as may be delivered to them.

*Prohibiting various irregular practices on the part of the Police Officers.*

**XI. First.** No police darogah, mohurrer, jemadar, or burkundauze shall trade or keep any warehouse, or shop for wholesale, or retail, within the limits of the thannah to which he may be appointed.

Police officers shall not trade.

**Second.** The darogahs of police are prohibited from employing, the burkundauzes of their thannahs on their own private affairs, under penalty of fine and dismission from office.

Darogahs shall not employ police officers on their own private affairs.

**Third.** Whenever a summons or warrant, or other criminal process may be served by a burkundauze, or other police officer receiving pay from government, no diet money or other allowance or gratuity shall be demanded, or received from the complainant or the accused, or from any witness or other person; and the demand or receipt of such by any police officer, directly or indirectly, in violation of this rule, shall be punishable as a criminal offence, on conviction before the magistrate or court of circuit. The offender shall also be compellable, either on a criminal prosecution, or by a civil action, to refund the amount received, besides being liable to immediate dismission from office, under the provisions contained in the existing Regulations.

Penalties in case of a police officer receiving or demanding money from any of the parties in a criminal process.

**Fourth.** The police darogahs are enjoined, under penalty of dismission from office, not to permit any established vakeel or mokhtar to be permanently employed at their thannahs, on the part of any landholder, farmer, local agent or other person. But this rule is not meant to preclude the occasional employment of a vakeel, or mokhtar for any specific purpose when it may be necessary.

Darogahs to prohibit the permanent employment, at his thannah, of the agent of any landholder or farmer.

**Fifth.** The darogahs and other mofussil police officers are prohibited from employing any mokhtar or vakeel at the station of the zillah or city magistrate, for the purpose of receiving and transmitting the salaries of the thannah establishment, or for any other purpose, connected with their public functions, except in particular cases, wherein they may be specially authorized by the magistrate to employ a vakeel.

Without special authority, no darogah shall employ a vakeel at the magistrate's court on official business.

**Sixth.** No mohurrers or writers, excepting those on the police establishments paid by government, shall be employed at the thannahs without the previous sanction of the magistrate, except in cases of emergency, which will not admit of delay. In the event of any police darogahs requiring the assistance of additional mohurrers, in consequence of a stress of business, he shall report the circumstance for the orders of the magistrate.

Except in cases of emergency, no extra mohurrers shall be employed at thannahs without sanction of the magistrate.

**Seventh.** The darogahs are prohibited from encouraging, or employing, without the knowledge or express sanction of the magistrate, any goindahs or spies, who may earn a livelihood by the profession of an informer, and they shall apprehend, and send to the magistrate, any persons who may give out that they are employed

No professional spy to be employed by darogahs without express sanction of magistrates, but to encourage individuals to give information, with a view to the apprehension of notorious offenders.

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the goindahs by the magistrate, or by the superintendant of police, unless such persons can show a written authority from the magistrate or from the superintendant of police. The above provision shall not be construed as precluding the police officers from employing persons to trace offenders, who may have eluded the pursuit of justice; or from encouraging persons to furnish information, by which robbers, or other known criminals may be discovered and apprehended. On the contrary, the darogahs shall encourage such persons to communicate all the information possessed by them, and shall report to the magistrate any instance of meritorious service on the part of any such individual, by which offenders may be brought to justice, whether the individual may have personally exposed himself to trouble and risk in securing the offender, or may have merely supplied the necessary intelligence to the police officers.

### *Charges not cognizable by Police Officers.*

What crimes the darogahs are prohibited from taking cognizance of.

XII. *First.* The darogahs and other native officers of police are prohibited, under pain of dismission from office, from taking cognizance of any charge of adultery, fornication, calumny, abusive language, slight trespass, or inconsiderable assault.

Persons bringing forward complaints of the above description, to be referred to the magistrate.

*Second.* Persons preferring to the native police officers charges of the nature specified in the preceding clause, shall be referred by those officers for redress to the magistrate's court, and informed that cognizance cannot be taken of their complaints at the thannahs; and the darogah or other police officer, to whom any such charges may be presented in writing, shall record, in the thannah diary, hereinafter prescribed, the name of the complainant, the nature of the charge, and the date on which it may be rejected. The date and ground of rejection shall also be endorsed on the written plaint, to be returned to the complainant.

Police officers prohibited from admitting compromises, from interfering in any matter not authorized by the Regulations, and from inflicting punishment and exacting money.

*Third.* The darogahs and other police officers are likewise prohibited from admitting compromises or razeenamahs in any cases, and from interfering in any matter which may not be expressly provided for in this, or in any other Regulation, as well as, in all cases, from passing sentence upon any complaint, from imposing a fine or inflicting any punishment, and from making any exaction from the prosecutor or the accused, or their respective witnesses, or from any other persons whatsoever.

### *General duties of Police Officers on receiving charges or information of heinous offences.*

Upon receiving information on oath, or on a hulf-namah, of a crime cognizable by him, the darogah shall enquire into the circumstances, and examine, publicly or privately, witnesses to the fact.

XIII. *First.* On receipt of any charge or information of murder, robbery, theft, burglary, homicide, maiming, wounding, actual affray, or other heinous offence, not excepted by this Regulation from the cognizance of the police darogah, the statement of the prosecutor or informer shall be certified on oath, or if the person be of such a rank or cast as would make it improper to compel an oath, by a solemn declaration, after the form No. 9 of the Appendix to this Regulation; and such enquiry shall be made as may be necessary to elucidate the circumstances of the case,

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case, and if there are any witnesses to the fact or persons acquainted with the particulars they shall be questioned, without oath, either privately and apart or publicly, as may appear most conducive to the attainment of the truth.

**Second.** It shall not be considered necessary to take down in detail the questions and answers of the witnesses, but the substance of any material information obtained from them, shall be reduced to the form of a sooruthal, or keyfeut, which document shall be authenticated by the attestation of the persons examined, and transmitted to the magistrate under the signature of the police officer, by whom the enquiry may be made; the evidence of the eye witnesses being distinguished, in the report, from that of persons deposing from hearsay.

Evidence not to be detained, but the substance only to be transmitted to the magistrate.

**Third.** In cases of murder, gang-robbery, burglary, attended with wounding or other violent crime, where the circumstances of the case may be elucidated in a greater degree by a sketch or plan of the spot, the same shall be prepared, if it can be done without subjecting the inhabitants to inconvenience; and submitted with the report. The police officers shall also be careful to ascertain, in all cases, the exact date and time of the day or night when the offence charged may have been committed; and shall record the date, according to the Bengal, Fusly, or other era current in the district.

Sketch of the spot to be transmitted under certain circumstances, and date of occurrence to be accurately noted.

**Fourth.** The police darogahs are prohibited from swearing witnesses to the truth of their depositions, on any local investigation which may be made by them into the circumstances of any murder, robbery, or other crime, or in the performance of any other of their duties, unless the same be expressly sanctioned by the provisions of a Regulation applicable to the case.

Darogahs shall not swear witnesses, except in cases sanctioned by Regulation.

**Fifth.** The officers of police shall endeavour, as far as practicable, to complete the enquiry in the first instance, and to collect all attainable evidence, and to bind over all the witnesses, necessary for the trial, to appear before the magistrate at the time when the report may reach the magistrate's court, in order that the case may be tried without unnecessary delay. The darogah shall send in with the chelan or dispatch, any burkundauzes or other subordinate police officers, whose evidence may be necessary on the trial of the case; and if the whole of the witnesses cannot be found at the time of transmission of the chelan, the darogah shall endeavour to collect them, and shall send them in without waiting the instructions of the magistrate.

Darogahs to endeavour to dispatch all evidence, and to secure the attendance of witnesses in due time, so as to prevent delay in the enquiry.

**Sixth.** In cases wherein the offenders are unknown, or though recognized, may not have been apprehended, the prescribed local enquiry into the circumstances shall, notwithstanding, be made without delay, and the police darogah shall transmit an immediate and full report of the result to the magistrate, for his information and orders. But the witnesses shall not in such cases be sent to the magistrate, nor bound over to attend him without his special instructions for the purpose.

When the offenders are unknown, the witnesses to the enquiry shall not be bound over to attend without special orders from the magistrate.

**Seventh.**

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Names and persons of known, but absconding offenders, shall be accurately described.

Separate reports to be made when a person shall, in the course of enquiry, appear to have been guilty of more than one offence.

Or when zemindars shall have been negligent in reporting.

If any person sent to the magistrate's court shall be known to have been formerly apprehended, the date of the former case shall also be reported.

Rules when darogahs shall have occasion to leave their thannahs.

Reports to be dated in the current era of the district.

Landholders and others, shall be responsible for the early communication of unnatural or suspicious deaths.

Penalties for neglect.

**Seventh.** In all cases where the offender may be known and may have absconded, the police officer conducting the enquiry shall ascertain and describe the person of the offender, specifying also his name, and that of his father, as well as his usual place of residence, in order that he may hereafter, if necessary, be fully identified.

**Eighth.** If, in the conduct of an inquiry, the person accused or suspected should appear to have been guilty of more than one offence, cognizable by police officers, or, if any misconduct or neglect in matters of police should attach to any zemindar, farmer, local agent, village-watchmen, or other person, whose duty it may be to aid the police, the police darogah shall institute a distinct enquiry on each case, the result of which shall be transmitted to the magistrate in separate reports and despatches.

**Ninth.** Whenever any person may be apprehended and sent to the magistrate's court under the provisions of this Regulation; and it may be known to the police darogah, or other officer presiding at the thannah, that such person has been apprehended on a former occasion by the police on any other account, the darogah or other officer, reporting on the case which may be the ground of his present apprehension, shall state also the offence for which the prisoner may have formerly been arrested, and if practicable, shall ascertain from the thannah papers and report the year and date of the record of the case referred to.

**Tenth.** The darogahs of police, when they may proceed from their thannahs for the purpose of making any local enquiry, or for the performance of any other public duty, shall state in their reports the date and time of their departure from the thannah station, and the date and time of their arrival at the place of their destination, and also of their return to the thannah. The month and year to be used on all such occasions, as well as generally in the reports of the police darogahs, shall be those of the current era of the district, whether the Bengallee, Fusly, or Wileality.

*Rules for holding inquests on occasions of murder, homicides, wounding, and unnatural deaths.*

**XIV. First.** The principal persons residing in villages, whether landholders or farmers, or other local managers or munduls, putwarries or other heads of villages, are hereby declared responsible for the early and punctual communication to the officers of the nearest police station, of all unnatural deaths, or deaths attended with suspicious circumstances, which may come to their knowledge; and any landholder, farmer, manager, or other principal inhabitant of a village, who may be convicted of wilfully neglecting or delaying to furnish the information above required, shall be liable to be fined by the magistrate, in any sum not exceeding 200 rupees; and in default of payment, to be confined for any period of imprisonment, not exceeding six months.

*Second.*

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*Second.* In all cases of murder, unnatural or suspicious death, or violent and dangerous wounding, the darogah of police shall make it an invariable rule, immediately on receiving information, to repair in person to the spot on which the dead body, or person wounded, may have been found; or if prevented from going personally, shall depute a proper officer; and on such occasions the following rules shall be strictly observed.

On receiving information of such cases, the darogah shall immediately proceed in person or dispatch an officer to the spot.

*Third.* That they question privately in the first instance any relations, connexions, friends, or neighbours of the deceased, or of the person wounded, who may be able to state the circumstances of the case; and that they endeavour to collect, before the inhabitants shall have assembled for the public inquest, such information as may guide their enquiries in the conduct of the investigation.

Connexions or neighbours to be questioned in the first instance.

*Fourth.* That they question the individual wounded, and require him, if he is able to speak, to name and describe on oath the person by whom he may have been wounded, the names of the persons present when the act was committed, and, generally, the circumstances under which the crime was perpetrated.

Individuals severely wounded, to be required to describe the circumstance on oath.

*Fifth.* That they examine the body of the person wounded, or, in cases of death, the dead body, with a view to ascertain the number of wounds or other corporal injuries; the length, breadth and depth of each, with what weapons the wounds or hurts may have been given; and the parts of the body in which they may have been received, and that they record the same either at the foot of their soorutha or report, or on a separate paper to be annexed to the report.

Rules for inspecting the body of the deceased, or of the wounded person.

*Sixth.* That they describe particularly the spot on which the wounded person or the dead body may have been found; and that they report whether the crime appears to have been committed on the spot, or whether the individual wounded, or the dead body, appears to have been brought and laid there, also in cases of alleged suicide or of accidental death, whether the circumstances under which the body may be found are such as to warrant a conclusion, that the deceased had met with his death from his own hands, or by misadventure, or whether any, and what grounds may exist for believing the deceased to have been killed by the hands of others; and further, that they ascertain the name of the person wounded or of the deceased, if any person present should recognize him.

Rules for the description of the place where the body was found.

*Seventh.* That if the person killed shall appear to be a stranger, and his name shall not be known, they endeavour to ascertain where he was last seen, or where he slept the night before.

If the deceased be a stranger, to ascertain where he was last seen.

*Eighth.* That in cases in which the offenders may not be immediately discovered, or the cause of the murder or unnatural death of wounding may be unknown, the police officer, conducting the enquiry, endeavour to trace whether any enmity, ill-will, jealousy, or other cause of dissension subsisted between the wounded or deceased, and any other person or persons in the neighbourhood, and if so, the parti-

If the offenders shall not be speedily discovered, to ascertain whether any person in the neighbourhood bore enmity to the deceased.

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culars of the disagreement, when and under what circumstances the wounded or the deceased, and the persons said to bear him ill-will, may last have been seen in company, and whether any and what angry expressions had been used by the parties; moreover, in cases in which there may be reason to believe, that the unknown offender has received any wound, or other corporal injury from resistance in the perpetration of the crime, they shall question the hujjams, village surgeons, washermen, or other persons residing in the vicinity, who, from their profession, may be likely to afford information, leading to the discovery of the offender in such cases.

When the unknown offender is supposed to have been wounded, to examine the neighbouring village surgeons.

The account to be attested by the darogah or police officer, and by a sufficient number of people, who may have been present.

*Ninth.* That the above enquiry be made and committed to writing in the presence of creditable people, resident on the spot or in the neighbouring villages; and that they require a sufficient number of persons present to subscribe their names to the paper, which is likewise to be attested by their own signature, and forwarded without delay to the magistrate.

In cases of murder, the instrument or weapon to be procured, if possible.

*Tenth.* In cases of murder, it shall be the duty of the officers of police to endeavour to obtain and secure the weapon or instrument with which the crime may have been committed, in order that the same may be produced and identified at the further stages of the enquiry or trial for the offence.

Assistance to be procured for wounded persons.

*Eleventh.* In cases of wounding, the darogah or other police officer, conducting the enquiry, shall endeavour to obtain for the person wounded such surgical assistance as may be procurable, and, if the wounds are severe, the individual wounded shall not be moved or sent to the magistrate's court, until he may be able to travel without inconvenience or risk. The police officers are further directed to notify to the inhabitants, as occasion may offer, that, in the event of any person being wounded by robbers or others, in such manner that he cannot be conveyed to the thannah, without hazard of his life, it is not necessary to remove such person from the place where he can be best taken care of, but that immediate notice must be given at the thannah, that the police officer may proceed to the spot, in conformity with clause second of this section, and make the enquiry therein prescribed.

Not to be moved so long as risk attends it.

Rules for the disposal of the body in cases of murder or unnatural death.

*Twelfth.* In cases of murder or unnatural death, the police darogah shall, on ordinary occasions, when he has completed his enquiry; either make the body over to the charge of the relations of the deceased, or shall cause it to be buried, or burnt on the spot, as the usages of the country and religious persuasion of the deceased may render proper; and it shall not be considered necessary to send the corpse for the inspection of the magistrate; except in cases of murder by poison, or on occasions where the injury sustained by the deceased may be of a doubtful nature, requiring the inspection and report of a surgeon, in which cases the darogah shall, if the state of the weather and the distance from the magistrate's court will admit of the body being transported without risk of putrefaction on the road, forward the corpse covered with a cloth, in the most decent and expeditious manner practicable, to the magistrate's place of residence.

*Enquiries*

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*Enquiries to be made by the Police Officers in cases of gang-robbery, burglaries and other heinous offences.*

**XV. First.** In all cases of gang robbery, or other robbery by open violence, as well as in every instance of a heinous crime, attended with a violent breach of the peace or other circumstances of aggravation, the police darogah, in whose jurisdiction the offence may occur, shall, if practicable, proceed in person to the spot without delay, transmitting an immediate report of the occurrence and of his departure from the thannah, for the information of the magistrate. If unable to proceed in person, or if the case be not of a heinous nature, nor attended with circumstances of aggravation, the darogah shall be at liberty to depute a fit person from among the officers acting under him, to ascertain the facts and circumstances of the case, and to procure all the information which it may be practicable to obtain for the discovery and apprehension of the offenders.

In cases of robbery by open violence, and certain other heinous offences, the darogah will proceed to the spot or dispatch an officer.

**Second.** The police officer making local enquiries of the description specified in the preceding section, shall be careful to ascertain and record the day and hour when the fact was committed, the situation of the place, the names and descriptions of any persons who may have been recognized as the perpetrators of the crime, by whom such persons have been seen and known, and the names and description of any person suspected of being concerned in the offence committed, with the grounds of such suspicion. Also a full recital of the manner in which the crime has been effected, and in cases of robbery, of the articles of property plundered, the direction in which the robbers may have fled; whether they had torches, and any, and what arms; whether they attempted to conceal their persons during the robbery; whether any arms or articles of property belonging to the robbers were picked up after the outrage; and, if so, whether any person in the neighbourhood has recognized such articles, whether any number of persons were known to have assembled at any liquor shop, fakeer's muth, or other place immediately preceding the occurrence of the robbery, and, if so, the general character of such persons, whether the landholders and farmers or their local agents took any and what measures, immediately after the occurrence for the discovery and apprehension of the offenders; whether the village watchmen were present, and shewed a proper degree of attention and alacrity on the occasion, or otherwise; whether there are any persons of notorious bad character in the neighbourhood, or persons who have before been punished for robbery and discharged from jail, and, if so, where such persons were at the time of the commission of the offence.

Detail of the enquiries to be made in such cases.

**Third.** The foregoing enquiries shall be made and committed to writing on the spot, in the form of a sooruthal or report, and in the presence of three or more creditable inhabitants of the neighbourhood, by whom it shall be attested, and the papers shall be forwarded without delay for the information of the magistrate.

Such enquiries are to be committed to writing, and attested by three or more respectable inhabitants of the neighbourhood.

**Fourth.**



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Caution against information being withheld in the first instance.

*Fourth.* It shall further be the duty of the police officers on occasions of the description abovementioned, as well as in cases of murder and unnatural death, to apprise the persons present at the enquiry, that their suppression or denial of any knowledge, which they may possess relative to the perpetrators of the crime, will tend to invalidate their testimony, in the event of their deposing to such knowledge at a future period. They shall, at the same time, give encouragement to all persons not accomplices or accessaries, who may have been present at the commission of a crime, to make a full communication of every fact and circumstance within their knowledge, respecting the offenders, and shall take their information or evidence with such precautions of secrecy, as may be deemed requisite, where persons supposed to have recognized any of the offenders may appear to be deterred from publicly naming them, under fear of the consequences, if the parties should not be apprehended.

Instances of burglary and theft, or attempts, shall be reported.

*Fifth.* The darogahs of police shall invariably report to the magistrate every instance of burglary and theft, which may be brought to their knowledge or otherwise, as well as of the attempts in which the offenders may not have succeeded in carrying off property.

Accuracy to be observed in the date of the offence and description of the circumstances.

*Sixth.* In cases of burglary, the police officer conducting the enquiry, shall attend to the foregoing instructions, regarding enquiries in cases of robbery, as far as the same may be applicable, and shall be careful to ascertain and report the time of the day or night at which the offence was perpetrated, and the means used in effecting an entry into the habitation, and if by breaking or cutting through a wall, mat, or other partition, the length and breadth of the aperture, also whether the house or apartment into which a burglarious entry may have been effected, is used as a place of residence, or the custody and preservation of property.

Information to be required from the zemindars and others.

*Seventh.* Police officers making enquiries in cases of robbery, burglary and theft, shall require the village chokeedars, the landholders and their agents, and the inhabitants of the place, where the offence may be committed, to state whether they suspect any and what persons of having committed the offence; and, if so, the grounds of their suspicion, after which, they shall take the necessary measures to ascertain how far such suspicions may be well founded, and where the persons suspected may have been at the time the crime was perpetrated.

### *Search for plundered or stolen property.*

Search for stolen property how to be conducted.

**XVI. First.** The search for plundered or stolen property, whether under the special orders of the magistrate, or under information received by the native officers of police, shall be conducted agreeably to the following rules.

Without a written declaration, officers shall not search the interior of any building, except by special orders of the magistrate.

*Second.* The darogahs of police are prohibited, except under the special orders of the magistrate, from searching the interior of any house or building for stolen or plundered property, unless a list of the articles missing be delivered or taken down in

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In writing at the thannah, with a declaration stating, that a robbery has been committed, and that the informant, whether he be the owner of the property or accomplice in the offence, or other person, has substantial ground to believe that the property is deposited in such house or place.

*Third.* In the case of search-warrants issued from the magistrate's office, the police officers shall report the execution of the process on the back of the warrant.

Execution of search warrants to be reported.

*Fourth.* The darogahs, when not especially instructed by the magistrate, shall transmit all representations made to them, regarding the receipt or concealment of plundered or stolen property, at or before the time when they may proceed to the search, for the information of the magistrate, and for any orders which he may deem it necessary to issue on the subject. They shall also take the necessary precautions for preventing any such property from being clandestinely removed.

Representations regarding stolen property to be sent to the magistrate for his orders.

*Fifth.* The search for plundered and stolen property shall be proceeded on without previous notice being given to the owners or inhabitants of the house, and shall uniformly be made in the day time, unless there shall be substantial reason to believe, that in case of any delay, the property sought will be removed. The process shall invariably be conducted by the darogah, mohurer, or jummadar in person; and if the darogah cannot himself proceed, he shall issue a warrant according to the form No. 10 of the Appendix. The search shall be made in the presence of three or more respectable inhabitants of the village, in which the house or place searched may be situated, who shall subscribe their names to the report made to the magistrate's office, and an opportunity shall, in every instance, be afforded to the occupant of the house of attending the search.

Particulars relating to the search.

What persons to be present.

*Sixth.* In conducting the search directed by the preceding rules, the police darogahs shall be careful that no articles of property are surreptitiously introduced into the habitation at the time of search, and no prosecutor or informer, or any other person, shall be permitted to enter, unless he allows himself to be strictly examined in the first instance.

Surreptitious introduction of articles into the house to be carefully guarded against.

*Seventh.* Should the occupant of the house, ordered to be searched, be of such a rank in society, as would render it improper and objectionable, according to the prevailing opinions and usages of the country, for the officers of police to enter the zenana or apartments of the women, the police officers shall give due notice for the removal of any women within the zenana; and after furnishing means for their removal in a suitable manner, (if they be women of rank, who, according to the customs of the country, cannot appear in public,) shall enter the zenana apartments for the purpose of completing the search, using at the same time every precaution, consistent with these provisions, for preventing the clandestine removal of property.

Rules to be observed in searching zenanas.

*Eighth.* If, on examining the premises ordered to be searched, any property be discovered, which shall be alleged, by the complainant or informer at whose instance the

The person in whose house property alleged to be stolen is found, being

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unable to give a good account of the same, shall be forwarded to the magistrate.

The search may be made, to have been stolen or plundered, or which there may be any other reasonable ground to believe has been acquired by theft or robbery, the darogah or other officer of police, by whom the search may have been conducted, shall endeavour to trace the actual proprietor, from whom the property may have been stolen or plundered, and shall question the occupant of the house regarding the means by which the property was obtained; and in the event of his being unable to give a satisfactory explanation, shall forward the property, together with the person in whose house it may have been discovered, to the magistrate.

Rule for the disposal of unclaimed suspicious property.

*Ninth.* Should any suspicious property be discovered in the course of a search conducted under the foregoing provisions, and should no person lay claim to the same, the police darogah shall compare the articles with such lists of property stolen or plundered, as may have been previously delivered into the thannah in other cases, and recorded in the register prescribed by clause thirteenth, Section VIII, of this Regulation; and in the event of the property corresponding with the amount given in the list, shall either send the articles for the inspection of the supposed proprietor, or shall deliver them to the thannah for the purpose of identifying his property.

All particulars regarding property so found, shall be carefully transmitted to the magistrate.

*Tenth.* On the occasion of searching a house under the foregoing rules, the police officer shall be careful to notice the particular spot in which the property may be found, the time of finding, and the name of the finder; and all property which may be claimed as having been stolen or plundered, as well as all property of a suspicious nature found on persons charged with robbery, burglary or theft, or which may be seized by the officers of police under suspicious circumstances, shall be forwarded without delay to the magistrate, together with a despatch, drawn up under the form No. 3 of the Appendix. A copy of the despatch being registered as prescribed by clause eleventh, Section VIII, of this Regulation; the original shall be given to the burkundauze, charged with the conveyance of the property, to be delivered to the nazir on his arrival at the sadder station.

Rule for transmission of valuable articles of small bulk.

*Eleventh.* Articles of value, and of small bulk, shall be fastened up in a box, petarah, or bag, and the seal of the thannah affixed. Each article of property shall have a separate number (written on paper with the seal of the thannah attached to it,) to correspond with the number contained in the first column of the despatch; and darogahs when describing the property in their reports, shall invariably quote the number affixed to each article.

Unclaimed or suspected property only shall be removed, not to be restored without magistrate's order.

*Twelfth.* No property shall be removed from a house by an officer of police unless it be claimed or recognized as having been stolen or plundered, or considered to be suspicious; and no property, once removed, shall be returned without the special instructions of the magistrate.

*Thirteenth.*

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**Thirteenth.** On the occurrence of a heinous robbery, burglary or theft, the darogah of police shall transmit a list of the property plundered or stolen, to the proprietor or manager of the estate, in which the crime may have been committed, with an injunction to cause the list to be affixed in a conspicuous place, and also published in the several bazars and haats, situated in the estate; at the same time requiring all gold and silver smiths, retail dealers, and other persons, to give notice to the officers of police against persons offering such articles for sale.

In heinous cases, a list of property plundered to be affixed in a conspicuous place, and due notice given.

**Fourteenth.** Whenever the person, in whose possession stolen or plundered property may be found, shall deny all knowledge of the theft or robbery, and assert that he procured the property by honest means; the darogah, or other police officers conducting the enquiry, shall require such person to state the circumstances under which he became possessed of the property, and shall endeavour to ascertain through whose hands it may have passed, as well as to trace the persons by whom the robbery or theft may have been committed.

Enquiries to be made from person, in whose possession the property may be found.

**Fifteenth.** Any person, who may find within his house or premises, property not his own, which he may have reason to believe lost or stolen property, or to have been deposited within his house or premises with a malicious intent, shall, within twenty-four hours after finding such property, convey it to the nearest police darogah, and report the circumstances attending the discovery of the property. The darogah shall commit to writing the circumstances which may be stated by the person finding the property, and cause the same to be signed by him, and attested by two or more witnesses present. Such attested writing, together with the property found, shall then be forwarded by the darogah without delay to the magistrate.

Person finding suspicious property in his own house or premises, how to proceed.

**Sixteenth.** All unclaimed property, whether cattle, boats, timbers, or other goods or chattels, shall be considered as belonging to government, and the darogahs of police shall forward any property of this description, which may come into their hands, to the magistrate of the district in which they may respectively be employed; or if any article of unclaimed property cannot be easily moved, the darogah of police shall make over the charge of such article to the local zemindar, manager, or head person of the village, until the orders of the magistrate in regard to its disposal can be obtained.

Unclaimed property to belong to government. Rules for its transmission.

**Seventeenth.** The darogahs and other police officers shall be entitled to a commission of ten per cent on the value of all property stolen or plundered, which they may recover. The commission is to be paid by the owners of the property, which is to be fairly valued by the magistrate, or by any creditable and competent person, whom he may appoint for that purpose. The magistrate is to cause the commission, in the case above directed, to be paid by the owner or his agent to the darogah, or other police officer to whom it may be due, and, if necessary,

Ten per cent of the value of stolen property to be granted to the recovering officers.

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may cause a part of the property to be disposed of by public sale, for the purpose of making good the amount.

### *Duties of Police Officers with regard to coiners and utterers of base coin.*

Darogahs shall search houses of persons, accused upon credible evidence of coining, &c. and transmit to magistrate, coins, implements and accounts, together with the offenders.

XVII. The darogahs of police shall apprehend and send to the magistrate all persons uttering base coin, and knowing it to be such, or who may be charged with counterfeiting or debasing the current coin. On the receipt of credible information they shall, under the provisions of Section XVI, proceed to search the houses of persons accused of manufacturing or knowingly uttering base or counterfeit coin, and shall seize and transmit to the magistrate any such coin which may be found, together with all implements used for the purpose of debasing or counterfeiting the coin: also all books of accounts relating to the sale, or circulation of base coin, together with such evidence as may be procurable to establish the offence imputed to the accused.

### *Duties of Police Officers in the prevention or suppression of affrays and riots.*

Officers of police to be present at fairs, festivals, &c.

XVIII. *First.* The darogahs of police shall proceed in person, or depute one or more of their officers, as circumstances may require, to attend and maintain the peace at fairs, and during the celebration of festivals, at all places where any considerable number of persons may be collected together.

On notice given of intended affray, officers shall require zemindars to disperse the people, on pain of confiscation of the matter in dispute.

*Second.* On receiving intimation of any tumultuous meeting or assemblage of persons, or of any projected riot or serious disturbance, whether arising from trespass or disputes regarding land, crops, tanks, water-courses, reservoirs or other causes; the darogahs of police shall either proceed in person or cause the mohurer, or jummadar, to repair immediately to the spot, and the police officer employed on such duty shall, in the first instance, proceed to the residence of the zemindar, talookdar or farmer, in whose estate or farm the disputants may be said to be, and require him instantly to cause them to disperse; acquainting him that the land or crop in dispute will be liable to confiscation if any affray ensue.

He shall endeavour to induce them to disperse, or to submit their dispute to arbitration; he shall proclaim aloud the consequences of a breach of the peace, and take certain measures to mark the guilty.

*Third.* In the event of this measure proving insufficient, he shall endeavour to prevail on the parties to disperse, and either to adjust their differences amongst themselves by arbitration or punchael, or to have recourse to a court of judicature for the decision of their claims. In the event of such endeavours proving fruitless, the police officer, who may be present, shall declare aloud, that if any person is killed, wounded or violently beaten, all persons concerned in the affray will be brought to trial before the criminal courts. The police officers will, at the same time, strive to seize the leaders, or principal offenders; and in the event of their failing so to do, they will endeavour to ascertain their names and places of abode, and to collect sufficient evidence, if practicable, from persons unconnected with the parties, of the circumstances of the affray, the causes which led to it, and who were the first aggressors; and, after taking these steps, shall

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shall set people to watch the further proceedings of the parties; and immediately communicate the whole of the particulars to the magistrate, who will adopt the necessary measures for bringing the offender or offenders to condign punishment.

*Fourth.* The officers of police are required to proceed to the spot as above directed, and use every precaution to prevent affrays, but they shall confine themselves to maintaining the peace, and shall on no account take part with, or afford assistance to either side, in the dispute; and darogahs are strictly prohibited, unless under the special instructions of the magistrate, from deputing burkyadauzes, or muskooree peons, to defend the property of either party, applying for the aid of the police, on the ground of alleged apprehension of affray.

Darogahs shall not depute burkyadauzes to defend the property of either party.

*Fifth.* If the cause of dispute be land or crops, the darogah, in his report to the magistrate, shall describe the land contested, or the quantity or quality of the grain, and in boundary disputes where the claims of individuals may be better explained by a plan of the ground, shall prepare and transmit, with their reports, a sketch showing the outline and general position of the portions of land claimed by the contending parties.

Disputed land or crops shall be described and boundaries sketched.

### *Duties of Police Officers in receiving confessions, and in the treatment of prisoners generally,*

**XIX. First.** Whenever any person may be apprehended and brought before a darogah, or other police officer, under the provisions of this Regulation, the examination of the prisoner shall be taken without oath, in the presence of three or more credible witnesses, who are to attest the examination; and the police officer, presiding at the enquiry, shall question the prisoner fully regarding the whole of the circumstances of the case, the person concerned in the commission of the crime, and if any property may have been stolen or plundered, the persons in possession of such property, or the place where it has been deposited: in the event of the prisoners making free and voluntary confession, it shall be immediately written down, if practicable, in the language best understood by the person confessing, and in the presence of three or more credible witnesses, who can sign their names, and are not officers of the police or connected with the thannah establishment: if no persons can be found who may be able to read or write, the most respectable persons in the village shall be required to bear witness, and to offer their mark in attestation of the writing. The party confessing as well as the witnesses shall be allowed to read the same when finished, or if unable to read, the police officer recording the confession shall invariably read it over in the presence of the party and witnesses, before it is signed and attested, and shall state, at the foot of the paper, the day of the week, date, hour and place, at which it may be taken: the original confession, bearing the signatures of the party and witnesses, shall invariably be transmitted to the magistrate, and not a copy; and the

Examinations of prisoners to be taken without oath, in the presence of three or more credible witnesses.

Rules in cases of voluntary confession.

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The police officer presiding at the enquiry, as well as the person, by whom the confession may be taken down in writing, shall subscribe their signatures to the paper, in attestation of its authenticity.

Compulsion, or holding out hopes or fears, to induce confession, strictly prohibited; penalty on conviction.

*Second.* No compulsion shall be used either towards parties or witnesses, for the purpose of obtaining any information whatsoever; and police officers are strictly enjoined not, on any occasion or under any pretext whatever, to encourage a prisoner, apprehended upon a criminal charge, to confess the same, or to excite the hopes or fears of a prisoner by holding forth a prospect of pardon, or using threats, or otherwise persuading or intimidating the prisoner, with the view of inducing him to confess: any species of mal-treatment inflicted on a prisoner or witness by a police officer, landholder or farmer, or by any other person whatever, whether with a view to extort a confession or to procure information, will subject the offender to exemplary punishment, on conviction, before the magistrate or court of circuit.

Special reason must be stated, if the confession be received at night, or in any other place than the police thannah.

*Third.* Whenever a confession may be taken at night, or at any other place than the police thannah, the special reason for its having been so taken shall be stated in the darogah's report.

Darogah may hold private verbal examination.

*Fourth.* The foregoing provisions are not meant to preclude the police darogah or officers presiding at the enquiry, from making any private verbal examination which he may deem requisite, with the view of ascertaining accomplices or discovering stolen property, or obtaining means of proof.

Prisoners confessing, to be kept separate.

*Fifth.* Prisoners confessing offences shall be kept apart from all persons in custody at the thannah, and, if practicable, shall be forwarded to the magistrate's court, under charge of a separate guard.

Witnesses to be carefully bound over.

*Sixth.* Witnesses to confessions shall invariably be bound over by the police darogahs to attend the magistrate on the arrival and examination of the prisoners at the sudder station; and the police officers shall be careful not to admit of any deviation from this rule.

Thannah prisoners how to be confined.

*Seventh.* Prisoners during their detention at the thannah shall be confined within the thannah house or guard-room, or in some other convenient place of confinement, where they will not be exposed to the open air.

Prisoners of atrocious character may, in the night time, only, be placed in stocks.

*Eighth.* Stocks may be used at the thannahs during the night, for the purpose of securing the persons of robbers and murderers, or other persons of dangerous character, or disorderly behaviour, or persons who may have escaped from custody, until they can be forwarded to the magistrate; but the darogahs are strictly enjoined, under pain of dismissal from office, not to place any individual in the stocks, except during the night time, and then only in cases of robbery and murder, or of previous escape from custody, or when the notoriety of the prisoner's character or his behaviour may be such as to render this mode of confinement essential for his safeguard.

*Ninth.*

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**Ninth.** The darogahs of police shall further be competent to use handcuffs, of a light construction, to be provided by the magistrates, (instead of fetters and ropes for the legs and arms,) for the purpose of forwarding heinous criminals with safety to the magistrate's court.

They may also be forwarded in light handcuffs.

**Tenth.** The darogahs shall be held strictly accountable for any ill-treatment which prisoners may sustain whilst under their charge, and for any severity further than what may be essentially requisite for securing the persons of such prisoners.

A strict account shall be taken of unnecessary severity.

**Eleventh.** Burkundauzes escorting prisoners shall, on ordinary occasions, journey at a rate not less than six or more than eight coss per diem.

Rate of travelling for prisoners.

**Twelfth.** When alighting at any village for the night, the police officers having charge of prisoners shall report their arrival to the proprietor, farmer or head man of the village, who shall point out a proper place for securing the prisoners during the night, and shall require the village watchmen to afford their aid in guarding them.

Headmen and others, shall provide for the custody of prisoners passing through their estates or villages.

**Thirteenth.** In cases in which the prisoners may be unable to support themselves during their journey from the police thannah to the magistrate's court, the darogahs shall advance such amount for diet allowance, as may be necessary for their expenses, not exceeding the rate of one anna per diem; reporting the same for the information and orders of the magistrate.

What diet money to be allowed to prisoners unable to support themselves during their journey.

**Fourteenth.** On the arrival of the prisoners at the sudder station, the burkundauzes charged with the dispatch shall convey them to the foudarry nazir, or to such other native officer as the magistrate may appoint, in order that they may be secured in a lock-up house, until the report of the case can be perused by the magistrate, till which time one or more of the burkundauzes, who may have accompanied the prisoners, shall remain in attendance to be examined, if necessary, on any points relating to the case.

Rules for their being delivered over to the proper officers at the sudder station.

**Fifteenth.** Prisoners, who may be sent from the station of one district to that of another, or who may be sent by a magistrate into the mofussil for the purpose of being discharged, shall, exclusive of other papers, be sent with a written despatch unsealed, shewing the name of the prisoner, and his destination; and it shall be the duty of the darogahs to forward prisoners of this description according to the despatch which may accompany them, under charge of the police burkundauzes from thannah to thannah. A statement of all such cases, specifying the names of the prisoners and other particulars, shall be recorded in the thannah diary, prescribed by Section VIII, of this Regulation.

Prisoners sent from one station to another, shall be transmitted from thannah to thannah by police burkundauzes.

**Sixteenth.** The darogah and other officers of police are hereby prohibited, under penalty of immediate dismissal from office, from detaining any prisoners without sending them to the magistrate, beyond such time as may be indispensably requisite for the enquiries directed by this or any other Regulation; and if, from any cause,

No prisoners shall be detained at the thannah cutcherry more than 48 hours.

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The enquiry cannot be completed within forty-eight hours after the arrival of a prisoner at the cutcherry or station of the police officer, the person shall notwithstanding be sent to the magistrate with a report of the case, and a chelan or despatch drawn up according to the form No. 2 of the Appendix, a copy of which shall be given to the burkundauze, under whose charge the prisoner may be forwarded, to be delivered to the nazir on his arrival at the sudder station.

Persons apprehended, whether bailed or not, shall be reported, and shall not be discharged, except on bail or by special order.

*Seventeenth.* The officers of police shall report to the magistrate the cases of all persons apprehended within their respective jurisdictions, whether such persons may have been admitted to bail or otherwise; and no person who may be once apprehended shall be discharged, except on bail or under the special orders of the magistrate.

*Rules relating to notorious offenders, and to vagrants, their apprehension and discharge.*

Darogahs in every district to forward to the magistrate all notorious characters.

**XX. First.** It shall be the duty of the darogahs of police to apprehend and forward to the magistrate, all persons residing within their respective jurisdictions, who may be notorious, as deroits or robbers of any denomination; or as house-breakers, thieves, or receivers of stolen property.

Credible information being given of such characters, darogahs are to make private enquiries.

*Second.* On any written charge being preferred to a police darogah, against individuals within his jurisdiction, of their being notorious robbers, burglars, thieves, or receivers of stolen property; or on the darogah's receiving credible information of such persons being within his jurisdiction, the darogah or other police officer, presiding in the thannah jurisdiction, shall, previously to the apprehension of the accused, make such secret and summary enquiry in the neighbourhood as may be practicable, without endangering his escape, in regard to his general character and means of subsistence, and if there shall appear substantial grounds to believe, that the charge or information is well founded, the darogah or other police officer shall apprehend the person suspected, and shall examine him, without oath, regarding his name, connexions, place of residence, occupation and means of livelihood. If, on such examination, and any further immediate enquiry, which may be practicable, there appear to be strong grounds of presumption, that the charge or information against the prisoner is unfounded, or greatly exaggerated; and the prisoner shall tender sufficient bail for his appearance before the magistrate, such bail shall be accepted, or, in failure thereof, as well as in all cases wherein the examination of the prisoner may tend to confirm the truth of the charge or information against him, he shall be forwarded, under custody, to the magistrate, together with a written report of the enquiry, including such particulars as may be necessary, to enable the magistrate to form a just comprehension of the merits of the case.

If they see fit, they shall apprehend the person, and make account for himself, shall discharge, or transmit him to the magistrate.

This rule shall not authorize the enquiries provided for in next clause.

*Third.* The foregoing rule shall not be construed as authorizing the police officers to make the sooruthals, and enquiries regarding character provided for in the next clause, except under the special orders of the magistrate.

*Fourth.*

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**Fourth.** Whenever a police darogah may receive instructions from a magistrate to make a local enquiry and sooruthal, for the purpose of ascertaining the character of any person of bad fame or suspicious livelihood, the darogah shall proceed himself, or shall depute the mohurer or jummadar of the thannah to the village, in which the suspected person may have been known to reside, and the darogah, mohurer or jummadar, when not otherwise specially instructed by the magistrate, shall summon four or more of the principal inhabitants, (not being females) or of the middling classes residing in the village, and shall question them, without oath, respecting the present and former place of residence of the prisoner, his general character, means of subsistence, property in ploughs, land, cattle and other goods and chattels; he shall also require them to state whether the individual suspected, associates with persons of bad character, robbers or armed men; and, if so, the names of such persons, whether he is frequently absent from his house or place of residence at night, without sufficient cause, whether his expenses are in proportion to or exceed his means, whether any person in the village bears the prisoner enmity, and whether the prisoner was ever before apprehended; and, if so, on what account.

Police officers when directed to make a local enquiry, shall take the evidence of certain persons, as to the suspected person's mode of life.

**Fifth.** The sooruthal, containing the result of the enquiry above directed, shall be signed by the persons assembled, and if the result of the enquiry be favorable to the character of the prisoner, the darogah shall only forward his report, and await the orders of the magistrate, but if unfavorable, a sufficient number of the subscribing witnesses, not, in any instance, exceeding four, (unless under the special orders of the magistrate,) shall be immediately required to execute recognizances, to appear and give evidence in the fouzdarv court.

This report, if favorable, shall alone be transmitted to magistrate, if not, witnesses shall be immediately bound over to appear.

**Sixth.** Whenever a person of bad character may be liberated from custody, or may be released from jail, after the expiration of a specific sentence of imprisonment, and the magistrate may be of opinion, with reference to the character of the prisoner, that his future conduct should be watched, such individual shall be sent to the thannah division, in which his habitation may be situated, and shall be released by the officers of the police, in the presence of the munduls, putwarries, and other headmen and watchmen of the village, to which the person liberated may belong, who shall be enjoined to afford him all practicable aid in procuring an honest livelihood, but at the same time to keep a vigilant inspection over his conduct and mode of living, and to give timely information to the police officer of the jurisdiction, in the event of his being absent from his village at night, without giving notice of his intention, or of his associating with individuals of bad reputation, or of his ceasing to labor or to obtain a livelihood by creditable means; in all which cases, they will be held responsible, and liable to the penalty stated in the next clause, unless they give due information of the circumstances to the thannah.

Persons of bad and suspicious character, discharged from confinement, are to be released in presence of the headmen of their villages, who shall be liable to a penalty, in the event of their not giving certain enjoined information.

**Seventh.** On the occasion of releasing a prisoner under the provisions of the foregoing rules, the police darogah shall report to the magistrate the names of the munduls

Penalty specified.

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duls and other headmen of the village, present at the time of the prisoner's discharge; and if the person released should hereafter be convicted of any criminal offence, and it be established, that the headmen of the place neglected to furnish the information required by the preceding clause, they shall be liable to the payment of a fine, not exceeding one hundred rupees, from each individual, commutable, in default of payment, to one month's confinement in the civil jail.

Darogahs shall apprehend all vagrants,

*Eighth.* It shall be the duty of the darogahs of police to apprehend all vagrants and suspicious persons, of whatever denomination, wandering about the country in parties, or lurking about individually, without any fixed place of abode; or who, though resident in a particular place, may have no ostensible means of honest livelihood, and who, on examination, may be unable to give a satisfactory account of themselves.

On receiving information of their resorts, care to be used in their apprehension and examination.

*Ninth.* Police darogahs receiving information of the resort of persons of the description specified in the preceding clause, shall, previous to their apprehension, make such summary enquiry, as the nature of the case may admit, without risk to their escape; and in the event of strong suspicion attaching to them, shall secure their persons, and unless on examination, without oath, respecting their names, connexions, place of residence, occupation and means of livelihood, they can render a satisfactory account of themselves, shall forward them forthwith to the magistrate, together with a report of the circumstances under which they may have been arrested, and of the enquiry made.

When names are not known, darogah may apprehend without a specific warrant; when large bodies of vagrants are assembled, he shall apply for assistance to certain authorities.

*Tenth.* In cases where the names of the vagrants or other suspicious persons cannot be ascertained, it shall be competent to the police darogah to apprehend such persons without a specific warrant, and in the event of any number of persons of this description being insufficient force to resist the officers of the thannah, the darogah shall require the aid of the local zemindar, or other landholder or farmer, or of the police officers of the adjacent thannah, or shall apply for assistance from the sudder station, according to the exigency of the case.

In what cases the darogah empowered to admit such persons to bail and to wait the magistrates orders.

*Eleventh.* After the apprehension and examination of the persons suspected, should the information, upon which the police darogah acted, prove to be incorrect, and no sufficient reason appear for sending them to the magistrate, the darogah shall admit the parties to bail, if they are able to furnish sufficient security, and shall report the circumstances to the magistrate, without sending them to the sudder station, till the receipt of an order to that effect.

Darogahs enjoined to be careful in the execution of this duty.

*Twelfth.* In enforcing the provisions contained in the preceding rules, the darogah and other officers of police, and the village watchmen, shall be careful not to confound strangers coming from the adjacent districts or countries, for the evident purpose of cultivating land or exercising their several professions, with vagrants or other suspected persons. On the contrary, the darogahs shall afford all due and reasonable

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reasonable encouragement to persons coming of their own accord into their respective limits, who may be desirous of settling therein from such industrious motives; the police officers will nevertheless keep a watchful eye over such persons, so long as it may appear necessary, and the darogahs will invariably report to the magistrate every instance, that may come to their knowledge, of an accession of this nature, to the population of their respective divisions.

### *Village Watchmen.*

**XXI. First.** It shall be the duty of the darogahs of police, under the guidance and instruction of the magistrate, to prepare and keep up at their thannahs a complete register of the village watchmen, employed within the limits of the authority of the said darogahs respectively, drawn out after the form No. 6 of the Appendix; and upon the death or removal of any of the watchmen, the landholders and other persons, to whom the right of nomination to such vacancies shall belong, shall send the names of the persons, whom they may appoint, to the darogah of the jurisdiction, that they may be registered by him as above directed.

Darogahs shall keep a complete list of village watchmen.

Zemindars or other authorized persons to nominate a successor on the occurrence of a vacancy.

**Second.** The village watchmen are declared subject to the orders of the police darogahs.

Village watchmen subject to police darogahs.

**Third.** Village watchmen, who may reside within one coss of the thannah station, to which they may be subject, shall report daily to the thannah all occurrences connected with the police, which may have happened in their respective villages, during the preceding twenty-four hours: village watchmen, residing from one to three coss distant from the thannah, shall furnish similar reports, twice every week; and all other watchmen, whose residence may be situated at a greater distance, shall report once in every week or fortnight, as they may be especially instructed by the police darogah so to do.

Rule for the delivery of reports of watchmen, residing at a certain distance from the thannahs.

**Fourth.** All occurrences reported by the village watchmen shall be recorded by the mohurirs in the thannah diaries; but it shall not be considered necessary to enter in such diaries the reports of watchmen, who have no communications to make further than that the peace of their divisions has been undisturbed since their last report.

Occurrences reported by the village watch, to be entered in thannah diaries.

**Fifth.** The village watchmen shall apprehend and send to the darogah, or other police officer presiding at a thannah, any person who may be taken in the act of committing murder, robbery, house-breaking or theft; also proclaimed offenders, and persons, against whom a hue and cry shall have been raised of their having been concerned in a recent criminal offence. It shall further be the special duty of the village watchmen to convey to the thannah immediate intelligence of any robbers, who may have concealed themselves in their respective villages, or in the adjacent country: and also of any vagrants, or other persons who may be lurking about the country without any ostensible means of subsistence, and who cannot give a satis-

Proclaimed offenders and those taken in the commission of public offences, shall be sent to the thannah by the village watchmen, who shall give the earliest intelligence of the residence of offenders and commission of crimes.

factory

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freely account of themselves. It shall likewise be the business of the village watchmen to convey early intimation to the thannah of all murders, robberies, burglaries, thefts, violent affrays, and other heinous offences, perpetrated in the villages or places in which they may be stationed.

Rule for receiving the reports of village watchmen.

*Sixth.* The report of the village watchmen to the police officers of the regular establishments shall be made verbally; and they shall not, unless they appear as prosecutors, be sworn to their depositions at the thannahs, or be detained at the thannahs, or sent into the magistrate's court, unless on account of misconduct, or under the special orders of the magistrate.

Supervision to be exercised by the darogah.

*Seventh.* Darogahs of police shall invariably ascertain and report, when making enquiries on the occasion of any robbery, burglary or theft, the conduct of the village watchmen; and whether they were present at their posts when the offence was perpetrated; if not, the cause of their absence, and whether there may be reason to believe, that they were themselves concerned in, or connived at, the commission of the crime. In the event of any neglect or suspicion of criminality attaching to a village watchman, the darogah shall either send the individual to the magistrate, with a separate report of the grounds of the charge exhibited against him, and evidence to establish the same, or shall forward a report, in the first instance, and wait the instructions of the magistrate, as the nature of the alleged offence may dictate. In the event of any gross neglect or misconduct in the discharge of his duty, as a police officer, being established against a village watchman, he shall be liable to dismissal from his station, by order of the magistrate, independently of any punishment, to which he may be subject, for specific acts of criminality, under the Laws and Regulations in force.

Penalty upon proof of negligence or abuse.

Watchmen not to be employed on darogahs private concerns.

*Eighth.* The darogahs or their police officers are prohibited, under penalty of dismissal from office, from employing the village watchmen on their private concerns, or on any duties unconnected with the police.

In places where regular police establishments may be stationed, duties of watching by whom to be performed.

*Ninth.* In those towns and villages, where the darogahs of the mofussil police jurisdiction, or the officers of out-posts may be stationed, the duties of watching and patrolling shall be performed conjointly by the regular police officers and the village watchmen; and private watchmen, entertained by individuals for guarding their habitations, shops, or warehouses, shall also afford their assistance, and be considered subject, in the performance of this duty, to the orders of the police darogahs of the station.

The village watchmen to resist robbers to the utmost of their power; and to require zemindars and headmen to lend their assistance in the pursuit and apprehension of criminals.

*Tenth.* On the occurrence of a gang or highway robbery, or any robbery by open violence, murder, burglary or theft, attended with wounding, or any other heinous offence, attended with a violent breach of the peace, the village watchmen shall, to the utmost of their ability, resist and endeavour to apprehend

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prehend the offenders, and shall require the headman of the village to collect the inhabitants and to oppose and seize the criminals, or to pursue them, if they have fled; and it shall be incumbent on the inhabitants of the villages through which, or near to which, the pursuit may lay, to afford, on the requisition of the village watchmen or other police officer, every practicable assistance towards the apprehension of the robbers or other offenders; and recovery of any property stolen or plundered by them; continuing the pursuit from village to village. Any headman or watchman of a village, who may be convicted before the local magistrate of wilful inattention to such requisition, shall be liable to fine and imprisonment, not exceeding the limitation prescribed by Section XIX, Regulation IX, 1807.

*Penalty for their refusal.*

### *Concurrent jurisdiction of Police Darogahs.*

**XXII. First.** Whenever a police darogah may receive intelligence of any murder, gang-robbery, or other heinous crime, having occurred within his jurisdiction, the perpetrators of which may not have been apprehended, he shall dispatch immediate information of the occurrence to the neighbouring police darogahs, both in the district in which his thannah may be situated, and in the adjacent districts:

*Darogahs to transmit intelligence of heinous crimes, (if the perpetrators be not apprehended,) to neighbouring thannahs.*

**Second.** The darogahs and other police officers are empowered, either under the warrant of the magistrate or without such warrant, to pursue persons charged with the crimes abovementioned, into the jurisdiction of other darogahs, whether subject to the same magistrate or to the magistrate of any other zillah or city; and the magistrates, darogahs, police officers, landholders, farmers, gemastahs of villages, cultivators of land, and all other persons having authority or residing in the jurisdiction into which the offenders may be pursued, are required to afford every assistance in their power to the pursuing officers, for the apprehension of the offenders.

*And may pursue into other thannahs or zillahs.*

**Third.** It is to be understood, however, that this concurrent authority is to be exercised by the police officers only, in those cases in which the crime shall have been committed within their own respective jurisdictions; or in the event of the crime having been committed in any other jurisdiction, when the offender shall be actually within their jurisdiction at the time, the charge may be preferred to them; and it shall not be lawful for the darogah of one zillah or jurisdiction to issue a warrant for the apprehension of an offender, being or residing in another zillah or jurisdiction, at the time of a complaint being preferred, for any crime not committed within the limits of his own jurisdiction. In such cases, the complainant must apply, in the first instance, to the magistrate of the zillah, or to the darogah of the jurisdiction, in which the crime or misdemeanor shall have been committed, or in which the offender may reside or be found. But should the complainant first prefer a written application to the darogah of another jurisdiction,

*Under what circumstances a concurrent jurisdiction to be exercised.*

such

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Such darogah shall record in his diary the name of the complainant, the nature of the charge, and the date on which the complainant may have been referred to another darogah. The date and ground of such reference shall also be endorsed upon the application, to be returned to the complainant.

Rule in the case of a darogah apprehending offenders in the jurisdiction of another magistrate.

*Fourth.* Whenever the police officers employed under one magistrate, shall apprehend offenders in the jurisdiction of another magistrate, in virtue of the powers vested in them by the preceding rules, they shall immediately deliver to the darogah of the police jurisdiction, in which the offenders may be apprehended, a list of their names, and a statement of the crimes or misdemeanors with which they may be charged; and the latter darogah shall immediately forward such list and statement to the magistrate to whose authority he may be subject.

Rule with regard to invalid thannahs.

*Fifth.* The police darogahs, in pursuance of Section XV, Regulation I, 1804, are empowered to issue process within the limits of the invalid thannahs, in the same manner as in other parts of the country.

### *Prosecutors and Witnesses.*

Subpoenas how and by whom to be served.

**XXIII.** *First.* Subpoenas to prosecutors and witnesses shall be drawn out according to the form No. 11 of the Appendix, and shall be served by a single burkundanze, but the darogahs are strictly prohibited from delivering summonses to parties or their agents, to be served on their own witnesses.

Rules for the execution and delivery of recognizances of witnesses and prosecutors.

*Second.* Prosecutors and witnesses, whose attendance may be necessary at the criminal courts, shall execute recognizances, (mochulkas) according to the form No. 12 and No. 13 respectively, of the Appendix, before the police officers to appear before the magistrate on a specific day; which shall be the day whereon the party accused may be bound to appear, if he shall have been admitted to bail, or on the day on which he may be expected to arrive at the magistrate's place of residence, if he is to be forwarded thither under custody; the police officer in whose presence the recognizance may be executed, shall forward it with his report to the magistrate, and shall deliver to the prosecutor or witness a despatch addressed to the magistrate and drawn up after the form No. 14 of the Appendix, which the prosecutor or witness shall be required to deliver in person to the magistrate, unaccompanied by any officer of police.

Darogahs shall, in certain cases, require bail from prosecutors, for their appearance before the magistrate.

*Third.* The police officers are prohibited from subjecting prosecutors to any degree of restraint, unless their complaints should appear, on enquiry, to be false and malicious; in which case, the circumstances shall be reported to the magistrate, and the complainant shall be required by the darogah to furnish bail for his appearance before the magistrate; in the event of his not conforming to such requisition, he shall be forwarded under custody to the foudjarry court.

Witnesses shall be subjected to no restraint, nor required to give security.

*Fourth.* The officers of police are strictly enjoined not to subject witnesses to any restraint or unnecessary inconvenience, nor to require them to give security for their appearance; but if any witness shall refuse to attend or to execute the recognizance

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recognizance directed in clause second of this section, it shall be competent to the darogah or other police officers, presiding at the thannah, to forward such witness under custody to the magistrate's court.

Penalty for refusing to execute recognizance.

### *Summons.*

**XXIV. First.** On a complaint being preferred in writing to a darogah, or to any other officer of police authorized to receive the same against a person subject to his jurisdiction, for any bailable crime or misdemeanor declared by this Regulation to be cognizable by the native officers of police, and which may not require the immediate apprehension of the accused, the police officer receiving such complaint, upon the party complaining, making oath (or a solemn declaration, if the party be of a rank or cast which would render it improper to compel him to take an oath) to the truth of the complaint, or without such oath or declaration, if satisfactory reason be assigned by the complainant for not attending to make the same, and the truth of the charge be deposed to on oath, or under solemn declaration by some other credible person or persons, shall issue a summons under his official seal and signature, to be served through a single burkundauze, or through any known and accredited agent of the party complained against, who may be on the spot and willing to receive the same on behalf of his principal; but no summons shall be delivered to a complainant to serve on the person accused.

On complaints, supported by oath or solemn declaration, summonses shall be issued by a single burkundauze and not by the party complaining.

**Second.** Police officers entrusted with the service of summonses, in cases wherein bail may not be required, shall demand only an acknowledgment of the receipt of the process, and, in the absence of the party, the summons may be served on the principal person in his house or family, if such person be willing to receive the same and to return an acknowledgment for the party whose attendance is required.

When bail is not required, acknowledgement of receipt of process is sufficient.

**Third.** The summons to be issued by police officers under the rules contained in the preceding clauses, shall be made out in the form of No. 15 of the Appendix; but if the charge be of a serious nature, and such as may appear to require bail to secure the appearance of the party accused, either in person or by vakeel before the magistrate, the summons shall be drawn up according to the form No. 16, and shall specify the bail to be given, which is in no case to exceed what may be sufficient to prevent the parties absconding, before the case shall come before the magistrate, who will then issue such further process or order as he may judge proper.

Forms of bail for trivial or more important offences. Bail shall not be excessive.

**Fourth.** If an accused person, on whom a summons shall have been served as directed in the preceding rules, shall not attend in person or by vakeel, and give bail (if required) according to the exigency of the summons within the period limited by it, the darogah shall issue a warrant (according to the form No. 17 of the Appendix,) under his official seal and signature, for the apprehension of his person.

What warrant shall be issued in cases of persons neglecting summons.

**Fifth.** Whenever any process may be issued by a magistrate or darogah of police for the attendance of any prosecutor or witness, or for the apprehension of any defendant

In case of absence or absconding of the offender, darogah shall require



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from the head person of his village, an engagement that he will deliver him up upon his return, or give information of his appearance.

pendant (not being a proclaimed offender,) and such person may be absent or may have absconded, the police officer, entrusted with the process, shall require the proprietor, manager or head person of the village, in which the person summoned may be said to reside, to furnish a written certificate of the individual's absence, engaging therein either to cause the attendance of the individual summoned on his return to his village, or to give information at the thannah of his arrival.

Penalty for failure in this engagement.

*Sixth.* Should it afterwards be established, on enquiry before the magistrate, that the person summoned was actually in the village at the time of the execution of a certificate of the above description, or should it be proved that he returned to the village afterwards, and that the person executing the certificate had wilfully neglected to give due intimation of his return to the officers of the police; the person so offending shall be liable to be fined by the magistrate, in any sum not exceeding two hundred rupees, and, in default of payment, to be confined in the civil jail for any period not exceeding one month.

### *Arrest of persons and bail.*

In charges of a serious nature made on oath or solemn declaration, and under certain circumstances, a warrant to be issued.

**XXV. First.** Upon a complaint being preferred in writing to a darogah, or other police officer authorized to receive the same, or on the receipt of credible information, whether given by confessing prisoners against accomplices, or by other persons against any person subject to his jurisdiction, for any crime of a heinous nature, such as murder, robbery, house-breaking, maiming, wounding, theft, setting fire to a village house or other building, counterfeiting the current coin or knowingly uttering base coin, or any crime involving a dangerous breach of the peace, such as a violent affray or assembling persons to commit an affray, or any similar offence requiring the immediate apprehension of the offender, and on the complainant or any other credible person or persons, acquainted with the case deposing on oath, (or under a solemn declaration) to the truth of the complaint, the darogah shall examine the complainant or party deposing regarding the circumstances of the case; and on his being satisfied from the particulars communicated, that there are grounds to believe, that the charge is well founded, and that the immediate apprehension of the offender is necessary to the ends of justice, the darogah or other police officer, by a warrant under his seal and signature drawn out according to the form No. 17 of the Appendix, shall cause the person accused to be apprehended and sent in safe custody to the magistrate, within forty-eight hours after his apprehension, unless any special reason appear why the issue of process, for apprehending the party accused, should be stayed until the charge be reported for the orders of the magistrate, in which case such report shall be made without delay.

Warrant by whom to be served and how to be executed.

*Second.* Warrants issued by the police darogah shall be served by the jummadar and burkundaues of the thannah, and the mode of execution shall be certified on the back of the process, which shall be filed and sent into the magistrate, together with the report and chelan which may accompany the prisoners.

*Third.*

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*Third.* In issuing proceses of arrest in cases in which the darogah of police may apprehend resistance, or on any occasions where the assistance of the landholders, or farmers, or their local agents may be necessary for the due execution of the process, the darogah shall, on the face of the dustuck, or warrant, specifically require in writing, the proper landholder or farmer, or local agent, (as the case may be,) to back the process and to afford their aid for effecting its due execution.

Darogah to require assistance of landholders and others when necessary.

*Fourth.* Darogahs, mohurirs or jummadars of the police, shall be competent to apprehend, without a written charge or warrant, persons who may be found in the act of committing a breach of the peace, or against whom a general hue and cry may be raised immediately after the commission of the criminal offence, or who shall be detected with stolen goods in their possession; but on such occasions, it shall be incumbent on the officer of police, by whom the arrest may be made, to record his reasons for seizing the offending party, and to forward such person forthwith, together with a report of the circumstances of the case, to the magistrate of the district.

Offenders taken in the act to be apprehended without a written warrant.

*Fifth.* Officers of police shall not without necessity break open the door of a dwelling house, or of any place of habitation, for the purpose of executing a warrant or other process of arrest. But if certain information be received that a person charged with murder, robbery or other heinous offence, or violent breach of the peace, and against whom a warrant or other process of arrest may in consequence have been issued, is concealed within a house or other building, and such person shall not deliver himself up on the requisition of the police officer, bearing a written warrant, and the written process to apprehend him; the latter may, in the presence of two or more creditable inhabitants of the place, break open the outer door of the house or other building, and also the door of any interior apartment, not being a zenanah or female apartment, in the actual occupancy of women, by the usage of the country considered private, for the purpose of executing the warrant, or other process of arrest entrusted to him.

Dwelling houses not to be forcibly entered, except in cases of necessity.

*Sixth.* In such cases, if information be received, that the person accused has concealed himself in a zenanah or female apartment, in the actual occupancy of women, the police officer, employed to execute the warrant, shall surround the house, or take such other precaution as may be requisite to prevent the escape of the accused; and shall endeavour to ascertain, by the means of two creditable women, unconnected with the family or with each other; whether the person against whom the warrant has been issued be really concealed in the zenanah; in which case, and if such person shall not on a further requisition deliver himself up, it shall be competent to the police officer, in the presence of two or more creditable residents on the spot, to break open the female apartment and execute the process entrusted to him, giving notice at the same time to any women in the zenanah, that they may be at liberty to withdraw.

Zenanahs shall not be entered, except upon credible information, that offenders are there concealed, and the women to be previously allowed to withdraw.

*Seventh.*

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Abuse of power subject to exemplary punishment.

*Seventh.* Any wilful abuse and perversion of the powers hereby vested in police officers for the ends of public justice, will subject them, on conviction before the magistrate or court of circuit, to exemplary punishment, according to the circumstances of the case, besides immediate dismissal from office.

In what cases bail shall not be accepted.

*Eighth.* Persons charged with the commission of murder, robbery, house-breaking, theft, setting fire to any house or village, counterfeiting the coin, maihem, or serious wounding, where the life of the party wounded may be in danger, shall not be admitted to bail, provided that there may appear reasonable grounds for believing that such persons have been guilty of the crime imputed to them; but in all other cases, if sufficient bail be tendered for appearance before the magistrate, the darogah or other police officer shall accept such bail and shall immediately release the party apprehended.

Form of bail.

*Ninth.* The bail to be taken for appearance before the magistrate, in pursuance of the preceding rules, shall be in the form No. 18, of the Appendix.

Persons wounding or slaying in self defence, not to be proceeded against, except under special orders of magistrate.

*Tenth.* Persons who may wound or slay murderers, robbers or thieves in their own defence, or in defence of their property, shall not be proceeded against or placed in restraint, or required to give bail, except under the special orders of the magistrate; police officers are strictly prohibited from acting in violation of the rule, under penalty of dismissal from office.

In cases of manifest necessity, security for peaceable conduct shall be required in addition to bail.

*Eleventh.* In cases of manifest necessity, when the darogah or other officer of police may be apprehensive of danger to the public tranquillity, by the enlargement of a person arrested on a charge of affray, violent assault or other bailable offence, without security being taken for his peaceable conduct; the party apprehended shall be required, in addition to the bail for his appearance, to furnish security for keeping the peace, and the surety (or sureties) shall execute a recognizance according to the form No. 19, of the Appendix, in an amount to be regulated by the circumstances of the case, and the condition of the person executing the same.

Form of recognizance to keep the peace.

### *Resistance or evasion of criminal process.*

Persons resisting process shall be apprehended and sent to magistrate.

**XXVI.** *First.* If any person or persons shall resist or cause to be resisted the execution of any legal warrant or process, which the officers of the magistrate's court, or the officers of police may attempt to serve, or shall endeavour to rescue any person arrested, or under the custody of the magistrate's officers, or the officers of police; the darogah, if practicable, shall cause such offenders, as well as persons concerned in the resistance or rescue, to be apprehended and forwarded to the magistrate, with a report of the circumstances of the case, and the necessary evidence for establishing the misconduct of the accused; in case of actual rescue or violent resistance, he shall also, if necessary, call in the aid of the officers of police stationed in the adjacent thannahs, who shall conform to such requisitions, provided they are conveyed in writing.

In extreme cases neighbouring thannah officers shall be required to assist.

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**Second.** In modification of the provisions contained in Sections II and IV, Regulation XI, 1796, and Sections II and IV, Regulation III, 1804; the following rules are hereby prescribed for the guidance of the magistrates and police officers in cases of resistance or evasion of criminal process.

Provisions of former Regulation- modified by the following rules.

**Third.** If the person convicted of resisting or causing to be resisted the process of a magistrate, or police officer, be a proprietor of land, or a sudder farmer paying revenue to government in any zillah or city jurisdiction, not being that in which the offence shall have been committed, and it appear just and proper, on due consideration of the circumstances of the case, to extend the penalty of forfeiture declared in Section II, of each of the Regulations abovementioned, to the whole or any part of such lands or farms, it shall be competent to the magistrate to adjudge the same, subject to the prescribed confirmation of the court of Nizamut Adawlut, and the final orders of the Governor General in Council.

Property in other zillahs of landholders resisting process shall be liable to confiscation, under confirmation of Nizamut Adawlut, and government.

**Fourth.** In like manner, if a person charged with an offence of a criminal nature, who may abscond or conceal himself, so that the process issued against him cannot be served, shall possess land or other immovable property, or a sudder farm paying revenue to government in any other zillah or city jurisdiction, than that wherein the offence charged against him may have been committed, and it shall appear necessary to attach the same with a view to cause the attendance of the accused person under the provisions of Sections IV, V and VI, of the Regulations specified in the preceding clause, it shall be competent to the magistrate, to whom the charge may be referred, to order the attachment of the whole or any part of such property or farms, and the provisions of the three sections referred to shall be considered applicable in such cases.

Property in land in other zillahs or persons absconding shall be liable to be attached, with a view to cause attendance.

**Fifth.** In all instances of resistance to the process of a magistrate or police officer, wherein the magistrate may be of opinion that a fine to government, not exceeding two hundred rupees, commutable, if not paid, to imprisonment, not exceeding six months, will be an adequate punishment for the offence, he is authorized to adjudge the same, instead of a forfeiture of land or farm; and his judgment in such cases as well as in all cases, wherein a similar judgment may be passed by him against persons not being proprietors of land or sudder farmers, shall not be referrible to the Nizamut Adawlut, but shall be final, unless altered or rescinded by the superior criminal courts, under the general rules in force.

Discretion vested in magistrate to award a certain fine.

**Sixth.** If any person amenable to the authority of the zillah or city magistrates and police officers, shall resist or cause to be resisted any warrant, summons or other process of a zillah or city magistrate, or of any authorized magistrate or police officer, and such person cannot be apprehended; or if any person charged with a criminal offence of a heinous nature shall abscond or conceal himself, so that, on a warrant issued against him at his usual place of residence, by the local magistrate or police

Movable property of persons not being proprietors of land, evading or resisting process, liable to immediate attachment, in case of suspicion of removal.

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police officer, he cannot be found, and the party so resisting or evading the process against him be not a proprietor or sudder farmer of land, capable of attachment under the provisions of the Regulations mentioned in the preceding section, and the foregoing clauses of the present section; but shall be in possession of any movable property, which can be attached, and the removal of which might be expected, if not placed under immediate attachment, the police officer, issuing or serving the warrant in such cases, is hereby authorized, on receipt of credible information, that the person against whom the warrant is issued has recently absconded, or concealed himself for the purpose of evading it, to cause the attachment of any movable property, belonging to the absconding or concealed party, within his jurisdiction; giving at the same time immediate information to the magistrate of the district, whose previous instructions shall be applied for, when there may be reason to expect a removal of the property.

But till the magistrated orders be known, darogah shall only prevent removal.

*Seventh.* The magistrate, on receipt of the information directed in the above clause, will determine whether the case be such as to require a continuance of the attachment, till the appearance of the accused person, or till a proclamation shall have been issued for his attendance, under the provisions of Regulations XI, 1796, and III, 1804; and will transmit instructions to the police darogah accordingly, either for the release of the property attached by him, or for continuing the attachment, and taking an inventory of the property, in conformity with the following clause. Till the receipt of such instructions, the police officers shall adopt such measures only as may be requisite to prevent a removal of the attached property.

Rule of proceeding in making the attachment.

*Eighth.* On receipt of the magistrate's instructions for an attachment of movable property, the darogah of police, in the presence of two or more respectable inhabitants of the place, shall cause an exact inventory of the articles attached to be taken and duly attested, after which he shall deliver the property in charge to the headman or any two or more respectable inhabitants of the place, taking an acknowledgment for the same, which shall be forwarded, together with an inventory of the property, to the magistrate.

Property shall be carefully preserved and a strict account rendered, when the offender shall be entitled to receive it back.

*Ninth.* In all instances where an attachment of property may be made under the foregoing rule, the police darogahs shall enjoin the persons, into whose charge the same may be delivered to take care, that there is no injury done to the property; and if the person charged appear, within the period specified in the proclamation, the magistrate shall immediately, on the attendance of the party, cause the attachment to be removed, and a full account rendered of the property attached, subject only to any unavoidable expense which may have attended the attachment.

In event of non-appearance or continued evasion, property to be sold for payment of fine, or benefit of government.

*Tenth.* If the proclaimed person shall not appear within the period fixed by the proclamation, the attached property in cases of resistance of process will be liable to public sale, by order of the magistrate, for the purpose of making good any fine imposed

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imposed on the offender; or should the attachment of movable property have taken place under an evasion of process, it shall at the end of six months, supposing the absentee not to attend during that period, be at the disposal of government, in common with any landed property attached under similar circumstances in pursuance of the Regulations in force.

*Eleventh.* Whenever a proclamation may be issued through a police darogah by order of a magistrate, requiring the attendance of any person, who may have evaded or resisted the processes of the court, the darogah shall, in the presence of two or more creditable persons, not connected with the thannah establishment, cause such proclamation to be publicly read and promulgated by beat of drum, and affixed in the police thannah, and on the outer door of the house which the party may have usually inhabited, or some conspicuous place in the village in which he may have generally resided.

Rule for proclaiming magistrates order for appearance.

*Twelfth.* On the expiration of the period specified in the proclamation, if the offender shall not appear to answer to the charge alleged against him, the darogah shall certify to the magistrate the mode in which the proclamation has been issued, and the date, time and place of promulgation, and shall send a sufficient number of witnesses to prove the due publication of the process.

On non-appearance, darogah shall report the due promulgation with witnesses.

*Thirteenth.* If any zemindar, farmer, local manager or other person, to whom a magistrate may have issued a warrant or order, in pursuance of Regulation III, 1812; or of any other Regulation in force, for the apprehension of a person or persons proclaimed or charged with or suspected of a crime, shall apply to an officer of police for co-operation and support in the execution of such warrant or order; the police officer, to whom the application may be made, shall afford every assistance in his power for the due enforcement of the process, and, if required so to do in conformity with the sixth clause of Section IX, Regulation III, 1812, shall receive charge of the prisoner from the zemindar, farmer, local agent or other person, and shall grant a written acknowledgment, specifying the name of the prisoner and the date on which he was delivered into his charge; he shall also, without delay, forward the prisoner under safe custody to the magistrate. If the person named in the application made to the police officer should not be apprehended, the particulars of the application and of the measures taken in consequence shall be recorded, for the information of the magistrate, in the thannah diary, prescribed by Section VIII of this Regulation.

Darogah shall assist zemindars required by magistrate to produce offenders, they shall also receive charge of them.

*Fourteenth.* If any police officer in his endeavours to secure a proclaimed offender, for whose apprehension a proclamation may have been issued under the provisions of Regulation IX, 1808, should wound or slay him in consequence of his standing on his defence, or of his flying; the officer so wounding or slaying the criminal, shall be deemed entirely guiltless with respect to that act; in like manner, if any police officer entrusted with or assisting in the execution of any legal warrant for the apprehension

Darogahs wounding or killing proclaimed offenders, who may resist, to be held guilty.

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apprehension of a person charged with murder, robbery, or other heinous crime, or pursuing a robber or murderer immediately after the commission of the crime, or resisting him during his attempt to perpetrate the crime, should wound or slay the offender in endeavouring to apprehend him, such police officer shall be held guiltless of any criminal act.

Rewards shall be payable by the magistrate of the zillah or city in which offenders may be apprehended.

*Fifteenth.* All rewards for the apprehension of proclaimed offenders, which may be sanctioned by the Regulations, and promulgated under the seal or signature of a magistrate, joint magistrate, or of the superintendants of police, will, if the offender be seized by the officers of police or by other persons, be payable on the delivery of the person proclaimed to the magistrate of the zillah or city in which the offender may have been seized, as provided by Section XV, Regulation XVI, 1810.

### *Distrain for arrears of land rent.*

Provision of former Regulations modified.

**XXVII. First.** Section VIII, Regulation III, 1812, is hereby rescinded, and the provisions contained in Sections IX, X and XI, Regulation VII, 1799, in Sections IX, X and XI, Regulation V, 1800, and in Sections XVII and XIX, Regulation XXVIII, 1803, as far as they authorize any aid to be given by the police officers to distrainers, for arrears of rent, are declared subject to the following modifications.

Darogah shall issue a written process upon occasion of resistance made or apprehended, to an authorized distrainer.

*Second.* Landholders, farmers and their local agents, or other persons empowered by the Regulations to distrain for arrears of land rent, who may be opposed, or may be apprehensive of resistance in effecting the regular distrain, or in maintaining possession of property previously distrained, are authorized to apply to the darogah of the thannah, in whose jurisdiction the property may be, for assistance in making or maintaining the regular distrain; and the darogah, in order to support the distrainer and to prevent a breach of the peace, shall, on the distrainer certifying on oath or by a solemn declaration the opposition he has experienced, or the resistance which he apprehends, depute a muskooree peon, with a written process, bearing the seal of the thannah, and signature of the darogah, and drawn up according to the form No. 20 of the Appendix.

Deputed peon shall attend to the proceedings of the distrainer.

*Third.* It shall be the duty of muskooree peon to exhibit to the defaulter the process prescribed by the preceding clause, and to use every means in his power to prevent resistance or other breach of the peace; and unless the arrear is liquidated to support the distrainer in the exercise of the powers vested in him by the Regulations. He shall also give due attention to the whole conduct and proceedings of the distrainer, so as to be able to give evidence thereon, if afterwards required, either before the judge or magistrate.

Resistance being offered to the peon, darogah, or mohurr or jemundar, shall proceed to his assistance. These officers only shall search dwelling houses for distrained property.

*Fourth.* Whenever any peon deputed under the foregoing rules may depose that he has been opposed in the execution of such duty, or the darogah may be satisfied from the representation made on oath by the distrainer, in the first instance, that any resistance has been offered, amounting or likely to amount to a breach

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breach of the public peace, the darogah of police shall either proceed in person or shall depute the mohurir or jummadar of the thannah, to support the distrainer and maintain the peace. He shall also proceed in person, or depute the mohurir or jummadar of the thannah, whenever it may be proposed by a distrainer under the powers vested in him by the Regulations, to force open the outer door, or to search the private apartments of a dwelling house in which the distrainable property of a defaulter may appear to have been concealed.

*Fifth.* The regular burkundauzes of the police establishment shall not be employed to aid distrainers for arrears of land rent, except in cases where the darogah, mohurir or jummadar may proceed in person under the rules above prescribed.

Burkundauzes shall assist in distraint, under orders of darogah, mohurir or jummadar only.

*Sixth.* The landholders, farmers and other local agents, and indigo planters, and other persons, are prohibited from using stocks, or any other instrument of restraint, for the purpose of confining ryots, or other individuals indebted to them, on any account whatever; and the darogahs of police shall report to the magistrates, for such orders or process as may appear proper under the general Regulations, all instances which may come to their knowledge of a violation of this rule.

Landholders, indigo planters, and others, shall not use stocks or other instruments of restraint.

*Seventh.* Whenever any muskooree peons, not receiving wages from government, may be employed by a police darogah under the provisions of this Regulation, he shall receive tulubana, or diet allowance from the person at whose instance he may be employed, at the rate of two annas per diem; and the darogah shall not issue any process by the hands of a muskooree peon, until the estimated amount of the tulubana, required for the fixed allowance of the peon at the above rate, during his employment, is deposited in advance; the darogahs are enjoined to prevent the muskooree peon from demanding or receiving, directly or indirectly, from any party, in cases in which they may be employed, any allowance or gratuity, exceeding the above rate, and shall report to the magistrate any instances which may come to their knowledge of the violation of this rule.

Allowance and mode of payment of peons employed in distraint, not in the service of government.

## ABKAREE.

**XXVIII.** *First.* Whenever an officer on a collector's establishment duly authorized to distrain property on account of arrears of revenue, due from any manufacturer or vender of spirituous liquors, tarry, putchuye, or intoxicating drugs, including opium; may be resisted in the enforcement of the collector's process, he shall, on certifying such resistance, on oath before a darogah of police, receive the aid of the regular police officers of the thannah, in effecting the attachment; and the police officers shall be guided in their proceedings, in regard to entering and searching houses for property, belonging to defaulters, by the rules prescribed in this Regulation, for their conduct, in cases of distraint for arrears of land rent, as far as the same may be applicable.

Darogahs shall assist, on the oath of an authorized revenue officer, in distraint for arrears of abkaree revenue.

*Second.*



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Further rule for the assistance of revenue officers.

**Second.** Darogahs of police shall, as directed in Section XXIV, Regulation X, 1813, support the officers of the abkarees mehal, in the execution of search-warrants, issued under the seal and signature of the collector, for the discovery of unlicensed stills, or of the produce of such stills.

In such cases, zenanas of respectable persons, shall not be entered.

**Third.** It is provided in the Regulation cited in the preceding clause, that such search-warrants shall be executed only in the day time, that is between sun-rise and sun-set, and, if possible, in the presence of two or more respectable inhabitants of the village in which the house or place proposed to be searched may be situated. It is further provided that, in the execution of such warrants, the apartments of the women, in houses belonging to persons of respectability and credit, that is, of all those classes whose women do not ordinarily appear in public, shall not be entered by the collector's officers, or by the officers of the police.

Rules to be observed by venders of spirituous liquors.

**Fourth.** The licensed venders of spirits and drugs are bound, by the conditions of their licenses, not to harbour robbers, thieves or riotous persons, nor to receive any goods or wearing apparel, in barter for liquors or drugs; they are also bound not to open their shops before sun-rise, nor keep them open after sun-set, and are enjoined not to harbour any person in their shops during the night, but to give information to the nearest magistrate or police officer, of any suspected persons who may resort to their shops.

Darogahs shall report infractions of those rules.

**Fifth.** The darogahs of police are enjoined to report to the magistrate any breach of the foregoing conditions which may come to their knowledge. They will also proceed against any licensed vender of spirits or drugs, who may be charged with a criminal offence cognizable by them, according to the general rules in force, which are applicable to the charge.

*Execution of criminal process in the commercial, salt and opium departments ;  
and duties of darogahs relating to those departments.*

Security for the appearance of persons employed under commercial residents, accused of bailable offences, how to be given.

**XXIX. First.** In all bailable cases, where it may be necessary, under the provisions of this Regulation, to summon or apprehend any weaver, manufacturer, molungee, or any officer or person engaged in the provision of the Company's investment, or employed in the commercial, salt or opium department : the darogahs of police shall transmit the summons or warrant, under a sealed cover, addressed to the commercial resident, salt or opium agent, or the head native officer of the muring, kothee, or chokee, who will either give, or direct sufficient security to be given, for the due attendance of the party ; certifying on the back of the process, the manner in which it has been served, and by whom the security has been given, or causing the defendant to accompany the officer, bearing the darogahs process, to the thannah.

In such cases the accused shall not be forced to appear till after the manufacturing season.

**Second.** In cases of a bailable nature, in which a person under engagements and employed in the commercial, salt or opium department, may be summoned under

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under the provisions of the preceding clause, during the manufacturing season; the darogah of police shall, with the view of preventing unnecessary interruption to the manufacturer, require the party summoned, to appear in person or by vakeel, either during or after the manufacturing season, as the circumstances of the case may dictate, subject to the future orders of the magistrate, to whom the darogah shall, in each instance, report the reasons which may have influenced him in the exercise of the discretion here vested in him.

*Third.* Summonses to weavers, manufacturers, molungees, or to any officers or persons engaged in the provision of the Company's investment, or employed in the commercial, salt or opium department, to attend as witnesses, shall be served in the manner directed by the preceding clauses of this section; but the commercial resident, salt or opium agent, or the head native officer of the aurung, kothee or chokee, shall, instead of requiring the person summoned to give security, or proceed to the thannah, take from the witness a recognizance, agreeably to the form No. 13 of the Appendix, and shall deliver the same to the officer serving the process.

Rule for serving summonses on witnesses employed in the Company's aurung, and form of their recognizance.

*Fourth.* If a charge shall be preferred to a police darogah against any weaver, molungee, or any other manufacturer, or any officer or person engaged in the provision of the Company's investment, or employed in the commercial, salt or opium department, for an offence that is not bailable, and there shall appear to the darogah of police sufficient ground, under the provisions of this Regulation, for apprehending the person so charged; the warrant for his apprehension shall require him to attend immediately in person, and shall be executed in the same manner as upon persons not so employed. But the darogah, after securing the offender, is to give notice of his apprehension to the commercial resident, salt or opium agent, or to the head officer of the nearest aurung, kothee or chokee, as the case may be.

Warrants for offences not bailable, shall be served upon persons so employed as upon others.

The darogah giving notice to the resident or agent.

*Fifth.* The officers of police, are required by the second clause of Section XI, Regulation VI, 1801, shall comply with applications made to them by a salt agent, or superintendant of a salt chokey, or by the officers attached to the salt department, or by any commercial resident or agent, or collector of revenue or customs, for assistance in effecting the seizure of alimentary salt, illegally imported, manufactured, sold or transported; and also for the seizure of adulterated common alimentary salt, and for the attachment of the cattle, carriages, or boats used in transporting such salt.

Darogahs shall assist in the seizure of illicit salt.

*Sixth.* If any officer of police shall receive information of any salt, not made in the Company's provinces, having been illegally imported into the said territories, or of salt of any description being transported without the proper rowannahs or char-chittees; or of any salt being manufactured, on account of individuals, by molungees or other persons, at the khalarees or salt works established by individuals, for the purpose of manufacturing salt on their own account,

Shall give notice of all illicit importation, adulteration or manufacture of salt.

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count, or that of any person; or of the adulteration of alimentary salt, by mixing with it the substance, called "karee noon," or other substance, such as "natron," or native fossil alkali, or the vegetable alkali or pot-ash; such police officers shall transmit immediate notice thereof to the nearest officer in the salt department, empowered to attach contraband or adulterated salt, and to the magistrate, to whose immediate orders the said police officer may be subject.

They shall not seize in the first instance of their own authority.

*Seventh.* The police officers shall confine themselves to sending the information aforesaid to the nearest officer in the salt department, and to the magistrate, and to assisting in the seizure of the salt, either under the orders of the magistrate or on application from the officers of the salt department; and shall not seize or detain any salt in the first instance of their own authority, except when they may have been vested by order of the Governor General in Council, with special authority for making such seizures, in which case they will receive separate instructions for their guidance in the performance of that duty.

Penalty for the unwarranted seizure of salt by darogahs.

*Eighth.* In all cases, in which it may appear that an attachment or seizure of salt has been made by an officer of police, without the special orders of the magistrate, or an application from any public officer authorized to require the assistance of the police officer, by whom such attachment may be made; he shall be liable to dismissal from office, and on the institution of a regular suit in the dewanny adawlut on the part of the proprietor, to the payment of full damages to the whole amount of the loss and expense to which the proprietors may have been subjected.

Darogahs enjoined to suppress the illicit cultivation of opium.

*Ninth.* All officers of police are strictly enjoined, under pain of dismissal from office, to assist in suppressing the illicit cultivation, manufacture, sale, purchase, importation, transportation or possession of opium, as required by the provisions of Regulation XIII, 1816, which are herein re-capitulated for their information and guidance.

Shall report cases of cultivation of the poppy; and,

*Tenth.* Whenever a police darogah shall obtain intelligence of any land within his jurisdiction, having been cultivated with the poppy, except with the permission or on account of government, he shall immediately proceed to the spot, and, if the information be correct, shall attach the crop so illegally cultivated, and report the same to the magistrate.

Take security for the offender's appearance before revenue officers.

*Eleventh.* Such police officer shall, at the same time, take security from the cultivator of the ground for his appearance before the collector, or other officer in charge of the abkarree mehal; and in the event of the cultivator not giving the required security he shall send him in custody to the magistrate, with the necessary witnesses, to prove the quantity of land which may have been cultivated by him with the poppy.

Penalty for omitting to send information.

*Twelfth.* Any police darogah, who shall knowingly permit the cultivation of the poppy within his jurisdiction, or who shall be convicted of conniving, in any respect,

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respect, at the illicit cultivation of the poppy, shall, besides being liable to dismissal from office, for neglect of duty, be further subject, on conviction before the magistrate of the zillah, to the payment of the fine stated in Section XXXI, Regulation XIII, 1816, for whatever quantity of land shall have been so illegally cultivated within his jurisdiction, with his knowledge or connivance; and the fine, if not duly paid, shall be commutable to imprisonment, for a period not exceeding six months.

*Miscellaneous rules regarding forts, armed men, military stores, dress of sepoys or lascars, and badges, public roads, and insane persons.*

**XXX. First.** The darogahs of police shall uniformly report to the magistrates, whenever any individuals, within their respective jurisdictions, may entertain in their service any extraordinary number of armed men, or may commence building, or repairing any fort or gurhee, or collecting together any quantity of arms, ammunition or military stores,

Darogahs shall report all circumstances, that may appear to be dangerous to the public peace.

**Second.** The darogahs of police are required to apprehend and send to the magistrate, in pursuance of Section IX, Regulation XI, 1806, all persons not actually in the Honorable Company's military service, or belonging to persons specially exempted by government from the operation of the rule contained in the section abovementioned, who may be found dressed in the uniform of the Company's sepoys or lascars, or in a dress so nearly approaching to that uniform, as to enable the persons wearing it, to impose themselves on the country people for sepoys and lascars.

Shall apprehend all unauthorized persons dressed in the uniform of Company's sepoys.

**Third.** Native officers and sepoys, excepting subadars, jumindars and serangs, even though in the service of the Company, who may temporarily reside in or have occasion to travel into the interior parts of the country, being forbidden by the fifth clause of Section IX, Regulation XI, 1806, unless employed on the public service, to wear their uniform coats; the local officers of police are empowered and directed to apprehend all persons of the above description, violating this prohibition, and to send them to the magistrate.

What persons may wear the Company's uniform, when not employed on public duty.

**Fourth.** The darogahs of police are also empowered and directed to apprehend, and send to the magistrate, any peon, burkundauze, pyke or other servant, not in the employ of any public officer, civil or military, who may be distinguished by a badge or chuprass, in opposition to the prohibitory rule contained in the eighth clause of Section IX, Regulation XI, 1806.

Persons not in the service of a civil or military officer, shall be apprehended when wearing a badge or chuprass.

**Fifth.** The darogahs of police shall prevent all encroachments on the public roads, and shall, at the same time, report the circumstances of each case, for the information of the magistrate, and record an abstract of the same in his thanahdarry proceedings.

Darogahs shall report encroachments on the public roads.

**Sixth.** The police darogah shall secure and send to the sudder station of the district, in which their thanahs may be situated, all insane persons found within the limits of their respective jurisdictions, from whose insanity there may be reason to apprehend

Persons dangerously insane shall be sent to the sudder station, unless the friends of the party enter into engagements to

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prevent their doing mischief.

apprehend any fatal or serious consequences, unless the friends of such persons will agree to enter into engagements to adopt such precautions as shall prevent their doing mischief. In such case, the police officer, to whom the engagements may be tendered, shall refrain from securing the person of the insane individual, and await the instructions of the magistrate, to whom the circumstances of the case shall be reported without delay.

### *Judges of Circuit and Europeans.*

Respect to be shown to judges of circuit in their progress.

**XXXI. First.** The officers of police are enjoined to shew every mark of personal respect and attention to the judges of circuit, during their progress from station to station.

Darogah shall report the arrival and proposed residence of any European not in His Majesty's or the Company's service.

**Second.** On the arrival of any European, not in His Majesty's or the Honorable Company's civil or military service, who may propose to settle within the limits of any thannah jurisdiction, the darogah of the division shall report the circumstance for the information of the magistrate.

Form of statement to be presented by darogahs to European residents, at the close of each English year.

**Third.** The police darogahs shall, towards the close of each English year, cause the form of statement, in English and Persian, No. 21 of the Appendix, to be exhibited to all Europeans, not in His Majesty's or the Honorable Company's civil or military service, residing within their respective jurisdictions, and shall require such Europeans to furnish, for the information of the magistrate, separate statements, filled up according to the prescribed form, either in English or Persian.

These statements to be forwarded to the magistrate.

**Fourth.** The statements, prescribed by the preceding rule, shall be forwarded by the police darogahs to the court of the magistrate, on or before the 5th of January, in each year.

### *Despatches of Treasure.*

Darogahs to afford assistance and security to despatches of government treasure.

**XXXII. First.** The darogahs of police are enjoined to afford assistance on application from the revenue officers, for the safe custody and conveyance of despatches of treasure, and to allow such despatches to be deposited, during the night, for better security, within the house allotted for the thannah.

And, as far as possible, of bankers and merchants also.

**Second.** The darogahs of police shall likewise, as far as their other duties will admit, afford protection to despatches of treasure, belonging to bankers and merchants, on application from the person in charge of the same.

### *Rules relating generally to landholders, managers of estates, &c.*

Darogahs to inculcate upon landholders their duties, in giving information of crimes, apprehending offenders and preventing affrays.

**XXXIII. First.** The police darogahs shall take every favourable opportunity, when employed on local enquiries, as well as on other occasions, of explaining to the zemindars, talookdars and other proprietors of land, malgoozaree or lakheraj; to the budder farmers and under-renters of land, dependent talookdars, naibs, and other local agents, and to all native officers employed in the collection of the revenues and rents of land, on the part of government or the Court of Wards, the duties incumbent upon them, and the responsibility attached to them, under the provisions of Regulations IX, 1808, VI, 1810, I, 1811, III, 1812, VIII, 1814, and any other Regulations

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Regulations in force, to communicate to the magistrates and police darogahs, either publicly or secretly, all information which they may obtain, respecting the commission of murder, robbery, house-breaking, arson or theft, within the limits of the estate or farm held or managed by them respectively; or respecting the resort of any known robbers, of whatever description, or the residence of any notorious receiver or vender of stolen property, within such limits, as well as to afford their assistance in the apprehension of proclaimed offenders and of all persons, for whose apprehension warrants may have been issued by the local magistrate, in pursuance of Section IX, Regulation III, 1812; and generally to co-operate with, assist and support the police officers of government in maintaining the peace, preventing, as far as possible, affrays and other criminal acts of violence, or apprehending the offenders under the rules and restrictions which have been enacted and promulgated in the Regulations.

*Second.* To enable the police darogahs the more effectually and satisfactorily to perform the service thus required from them, the magistrates shall be careful to furnish them with copies of, or extracts from, all Regulations in force on the points above adverted to, or any other immediately connected with the aid to be given by landholders, farmers, under-tenants and managers of land, in support of an efficient police.

With this view magistrates shall be careful to furnish darogahs with extracts or copies of certain Regulations.

*Third.* Copies of this Regulation shall be furnished to all zemindars, or other landholders or managers of estates entrusted with the management of the police; and such zemindars, or other landholders or managers shall observe the rules therein prescribed, for the conduct of the police darogahs; as far as the same may be applicable to their duties, as chief police officers.

Zemindars entrusted with the charge of the police, to be furnished with copies of, and to obey this Regulation.

### *Police of Cities.*

XXXIV. The cutwals and other police officers appointed in the cities and towns shall be guided, in their discharge of the general duties of the police, by the rules prescribed in this Regulation, for the guidance of the darogahs of police, as far as the same may be applicable, and in the special police duties of the cities and towns by the rules in force, which relate to the police of the cities and towns.

Cutwals and police officers in cities and towns to be guided by this Regulation, as far as applicable to them.

## FORM. No. 1.

## Certificate of Dispatch.

<i>Name of the Burkundance.</i>	<i>Case.</i>	<i>Date and time of dispatch from the thannah.</i>	<i>Date and time of arrival at the magistrate's court.</i>	<i>Date and time of departure from the magistrate's court.</i>	<i>Remarks.</i>
Mootée Sing,	Murder, Mootee Ram, vs. Nuttoo and others.	10th March, at the fifth hour of the day.	12th March, at the third hour of the day.	13th March, at the fourth hour of the day.	

Chelan or Dispatch of Prisoners for the Thannah of \_\_\_\_\_ Zillah of \_\_\_\_\_

No. of the Chelan.	Name and residence of the complainant or prosecutor.	Names of the prisoners and their place of residence, also the name of the purgunnah, and of the landholder or farmer.	Abstract of the offence and the date of its occurrence, and also the date of the complaint or information.	Date and time of the apprehension of the accused.	Where apprehended and by whom.	Date and time of the arrival of the accused at the thannah.	Date and time of his dispatch to the sudder station, and under charge of what burkundaze.	Names of the witnesses.	Remarks.
1.	Ramdial, inhabitant of Mouza Serai Akel.	1. Jeessook, inhabitant of Mouza Jaunsut, pergunnah Dulmow, in the estate of Ramsing zemindar. 2. Matab, inhabitant of Mouza Paharee zemindar, and pergunnah as above.	Burglary and wounding on the 5th of April 1816, the complaint made on the 6th of April.	On the morning of the 15th of April.	By Nattoo Chokkedar, in the village of Jaunseet.	On the evening of the 15th of April.	On the evening of the 16th of April, under the custody of Ramsing and Motee Sing, Burkundazes.	Bood Sing Kaorah Ratna Khodabuksh	



### ***Chelan or Dispatch of Property***

Thannah of \_\_\_\_\_ in the District of \_\_\_\_\_  
 List of Property found in the house of \_\_\_\_\_ and disviched to the Foujdary Court, under charge  
 of \_\_\_\_\_ on the \_\_\_\_\_ corresponding with \_\_\_\_\_

[illegible]

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**FORM No. 4.**

*Statement of Crimes of a heinous nature, ascertained to have been committed or attempted within the limits of the Thannah of———, during the month of———.*

No.	Crimes.	Committed.	Attempted.	Number of offenders concerned.	Number apprehended.	Remarks.
1.	Dacoitee, attended with murder.....					
2.	Ditto, ditto, with wounding..					
3.	Simple dacoitee.....					
4.	River dacoitee.....					
5.	Willful murder.....					
6.	Murder, or malicious wounding.....					
7.	Highway robbery by footpads, attended with murder, wounding or other circumstances of aggravation....					
8.	Simple highway robbery by footpads.....					
9.	Highway robbery by horsemen.....					
10.	Cattle stealing.....					
11.	Homicide.....					
12.	Affrays and riots of a serious nature.....					
13.	Burglary, attended with murder or wounding, or other circumstances of aggravation.....					
14.	Simple burglary.....					
15.	Thefts, exceeding 10 Rupees.					
16.	Ditto, under 10 Rupees.....					
17.	Thangee Daree.....					
18.	Arson.....					
19.	Counterfeiting the coin or uttering base coin.....					
20.	Suicide.....					

**N. B.** The number of accidental deaths, whether occasioned by falling into rivers, lakes, or wells; by wild beasts, venomous animals, or other causes; also any considerable mortality, whether proceeding from famine, or other cause; and extraordinary event which may be brought to the knowledge of the police officers during the month, shall be noticed at the foot of this Statement.

**FORM No. 5:**

*Register of Offenders, who have escaped from Jail, or for the apprehension of whom Proclamations may have been issued, under the provisions of Regulation IX, 1808, or who being charged or suspected of the commission of a heinous nature, may have eluded the pursuits of justice, and for whose apprehension process may have been issued from the Magistrate's Court.*

[illegible]

FORM No. 6.  
Register of Village Watchmen and Alphabetical List of Villages.

Names of Villages.	Distance and direction from the thannah station.	Names of the proprietors or managers, and situated in what Parganah.	Names of the chokcedars or watchmen attached to each village.	Estimated number of houses in each village.	Remarks.

FORM No. 7.

List of the Police Establishment of the Thannah of \_\_\_\_\_, for the Month of \_\_\_\_\_.

Number.	Name of each police officer.	Date of appointment.	Date of discharge.	Absent on leave from what date.	Amount of salary due.

## FORM No. 8.

*Statement of Dank-chokees established by the Landholders, &c. for the conveyance of the public correspondence to, and from the Thannah of \_\_\_\_\_, situated at the distance of \_\_\_\_\_ coos, south from the sudder station.*

No. of the chokee.	Name of the village or place where the chokee may be established, and in what pergunnah.	Name and residence of the person to whom the papers are to be delivered for dispatch.	Names of the dank persons at each station.	Name of the landholder or local authority and his place of residence.	Distance of one chokee from another.	REMARKS. Containing particulars in regard to the direction of one chokee from another, rivers, ghauts, &c. &c.
1.	Lal Gunge, Pergunnah Boosnah.	Madick Mundul, of Mowza Lal Gunge.	Kulloo Pheekoo.	Mahomed Sha, zemindar, residing at Moorshe-dabad.		
2.	Phoolpore.	Rannat Putwaree, of Mouza Phoolpore.	Maun Sing and Ram Sing.	Rannat, farmer, residing at Natore.	Four coos from Lal Gunge.	South west from Lal Gunge, a nullah between this and the last chokee, fordable during the year.

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**FORM No. 9.**

*Declaration to be subscribed by a Hindoo prosecutor, exempted from taking an oath.*

I solemnly declare, in the presence of God, that I will state, according to the truth, all the circumstances within my knowledge, regarding the case of———. I will not conceal what is true, nor depose to any thing false : if I declare any thing not warranted by the truth, I shall be deserving of punishment from Ishwur.

*Declaration to be signed by a Mahomedan prosecutor, exempted from taking an oath.*

I solemnly declare, in the presence of Almighty God, that I will state, according to the truth, all the circumstances within my knowledge, regarding the case of———. I will not conceal what is true, nor depose to any thing false : If I declare any thing not warranted by the truth, I shall be deserving of punishment from God.

*(After the prosecutor has stated the charge, he is to subscribe the following declaration)*

I swear in the presence of Almighty God, that I have truly and correctly stated all the circumstances within my knowledge, in regard to the case of———.

**No. 10.**

*Form of Search-warrant.*

Whereas, there is strong cause to suspect, that plundered, or stolen goods or effects are within the dwelling house or premises of (name and cast of suspected person) inhabitant of———; you are hereby authorized and required, with necessary and proper assistance, to enter into the said dwelling house or premises of the said———, and if any goods or effects shall be found therein, which there may appear cause to suspect to have been plundered or stolen, you are required to bring the property so found, and also the person of the said———, to the thannah of———.

**FORM No. 11.**

*Subpœna to Prosecutors and Witnesses.*

To———, inhabitant of———, whereas your attendance is required to state what you know in the case of———; you are hereby required to appear at the thannah of———, on (day of week) the (date) at the hour of———, herein fail not———. Dated the (day of month and year current in the jurisdiction.)

**FORM No. 12.**

*Recognizance to be taken from a Prosecutor.*

Whereas I———, inhabitant of———, have complained against———, inhabitants of———, charging him with——— : I hereby engage to appear before the magistrate of the zillah (or

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(or city) of \_\_\_\_\_, on or before the \_\_\_\_\_, to prosecute the said complaint; in default whereof, I further bind myself to pay such fine to government as the magistrate may judge proper to impose upon me, as well as any expense that may be incurred, in consequence of my non-attendance, for compelling my appearance : in this I will not fail : date (according to the current era.)

#### FORM No. 13.

##### *Recognizance to be taken from a Witness.*

Whereas I \_\_\_\_\_, inhabitant of \_\_\_\_\_, have been named as a witness in the case of \_\_\_\_\_ : I hereby engage to appear before the magistrate of the zillah (or city) of \_\_\_\_\_, on or before the \_\_\_\_\_, for the purpose of giving evidence ; in default whereof, I hereby further bind myself to pay such fine to government as the magistrate may judge proper to impose upon me, as well as any expense that may be incurred, in consequence of my non-attendance, for compelling my appearance ; in this I will not fail : dated (according to the current era.)

#### FORM No. 14.

##### *Certificate of Dispatch.*

<i>Name of the prosecutor or witness.</i>	<i>Case.</i>	<i>Date of dispatch from the thannah.</i>	<i>Name of the thannah.</i>
Ramdial, witness.	Methoo, charged with the murder of Ram Sing. Chelan No.	5th April.	Sumbul.

#### No. 15.

##### *Form of Summons.*

To \_\_\_\_\_, inhabitant of \_\_\_\_\_. Whereas your attendance is necessary to answer to a charge of \_\_\_\_\_, you are hereby required to appear, in person or by vakeel, before the magistrate of the zillah (or city) of \_\_\_\_\_, (or at the thannah of \_\_\_\_\_,) on or before the \_\_\_\_\_ day of \_\_\_\_\_ : herein fail not \_\_\_\_\_. Dated the \_\_\_\_\_ day of \_\_\_\_\_.

#### No. 16.

##### *Form of Summons requiring Bail.*

To \_\_\_\_\_, inhabitant of \_\_\_\_\_. Whereas your attendance is necessary to answer to a charge of \_\_\_\_\_ : you are hereby required to appear, in person or by vakeel, before the magistrate of the zillah (or city) of \_\_\_\_\_, (or



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(Or at the thannah of———,) on or before the———; you are further required to furnish a surety (or sureties) in the sum of rupees———, for your attendance, in person or by vakteel, during the trial of the case before the magistrate.

No. 17.

### *Form of Warrant.*

To———

(Name and designation of person deputed to serve the warrant.)

Whereas———, inhabitant of———, stands charged with the crime of ——; you are hereby directed to apprehend the said———, and to produce him before me: in this fail not.

N. B.—The warrant shall be addressed to the jummadar or other police officer, by whom it is to be executed; and shall, in all practicable cases, bear the seal of the thannah, and invariably the signature of the officer issuing the process.

FORM No. 18.

### *Bail Bond.*

Whereas———, inhabitant of———, stands charged with———, and is required to appear before the magistrate of the zillah (or city) of———, on or before the———, to answer to such charge: I hereby bind myself to produce the said———before the said magistrate, on the date aforesaid, and to be answerable for his appearance, until a final order be passed by the magistrate upon the said charge; in default whereof, I further bind myself to forfeit to government the sum of rupees———: in this I will not fail. Dated this———day of———.

FORM No. 19.

### *Recognizance for keeping the Peace.*

Whereas———, inhabitant of———, stands charged with——— and has been called upon to give security, to keep the peace, whilst such charge is under investigation: I hereby declare myself surety for the said———, that he shall not commit any act that can occasion a breach of the peace, whilst the said charge is under examination; in default whereof, I further hereby bind myself to forfeit to government the sum of rupees———. Dated this———day of———.

FORM No. 20.

### *Distrain.*

Process to be delivered to a muzkooree peon, deputed to aid a distrainer.

Whereas

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Whereas (name of the distrainer or of his local agent,) has made oath before me, that he has been opposed or that he fears he may be opposed, in effecting the distraint of certain property, belonging to———; which he considers it necessary to attach for the recovery of an arrear of land rent, amounting to rupees———, due from (name of the defaulter or of his security;) the bearer of this process (name of the muzkooree peon,) has been deputed from this thannah to aid the distress of the property of the said (name of the defaulter or security;) and it is hereby notified to the said (name of the defaulter or security,) that if he disputes the justness of the arrear demanded, it behoves him to apply forthwith under the provisions of Sections XV and XVI, of Regulation V, 1812, to the judge or collector of the zillah, or to the cauzee, or moonsiff of the purgunnah; but that, in the mean time, he is required either to liquidate the amount claimed, or to allow his property to be peaceably distrained, under penalty of disobedience to this requisition, of suffering such punishment as the magistrate may, under the Regulations, judge proper to inflict.

### FORM No. 21.

#### *Notice.*

All Europeans, not being in the service of His Majesty or of the Honorable Company, are hereby enjoined, on the requisition of the darogah of police, within the limits of whose jurisdiction they may be residing, to report themselves in writing to the magistrate of the district, on a separate paper, drawn out after the form subjoined.

(To be signed by the magistrate.)

*Statement of Europeans, residing within the jurisdiction of the Thannah of———.*

Name.	Place of residence.	Native country.	Employment.	Year of arrival in India.	Authority for residing in India, and date.	Authority for residing in this district, and date.	Remarks.

## **A. D. 1817. REGULATION XX:**

### ***General Abstract of the Contents of Regulation XX. 1817.***

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**Section II.** Specification of provisions of former Regulations rescinded.

**Clause First.** Provisions of Regulations rescinded.

**Second.** Ditto ditto.

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**Section III.** Appointment and removal of police officers.

**Clause First.** Appointment and removal of police officers in whom vested.

**Second.** Cutwals and darogahs not to nominate subordinate police officers, except when specially directed

**Third.** Sunnud to be furnished by magistrates to police officers on their appointment.

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**Section IV.** Relative rank and general functions of officers on the thannah establishments.

**Clause First.** General duties of darogahs and their controul over the subordinate thannah officers.

**Second.** Rank and special duties of the mohurer.

**Third.** Rank and special duties of the jemmadar.

**Fourth.** Police officers generally to obey the orders of the superintendants of police, and joint and assistant magistrates.

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**Section V.** Rules regarding the use of a seal of office at each thannah, and the badges, arms, and accoutrements of the police burkundaues.

**Clause First.** Cutwals and police darogahs to use a seal of office, its description.

**Second.** Burkundaues to wear a certain badge, its description; their arms and uniform.

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**Section VI.** Powers and duties of police officers employed at out-posts.

**Clause First.** Police officers stationed at out-posts how to be guided.

**Second.** Officers so stationed to perform their prescribed duties under the controul of the darogahs.

**Third.** They may apprehend certain description of criminals without a warrant from magistrate or darogahs.

**Fourth.** Persons so apprehended, to be forwarded immediately to the thannah, with a report on the case.

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**Section VII.** Rules regarding the application of police officers for leave of absence, and the deputation of burkundaues to the sudder station.

Clause

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**Clause First.** Appointment and salary of persons officiating for police officers, how to be regulated.

**Second.** Burkundauzes dispatched to magistrate's court shall be provided with a certificate.

Appendix No. I.

**Third.** Which is to be presented to the nazir who shall report any delay.

**Fourth.** Burkundauzes how to proceed, on leaving the sudder station,

**Section. VIII.** Records to be kept and preserved at the thannah.

**Clause First.** Police darogahs and mohufers carefully to preserve and to promulgate all Regulations of government sent to their thannahs.

**Second.** Rules for the care, preservation and inspection of the thannah books and registers.

**Third.** Darogahs to be furnished with blank books for diaries.

**Fourth.** In these every occurrence to be entered.

**Fifth.** What circumstances to be entered, when prisoners are apprehended.

**Sixth.** The purport of every petition, &c. to be entered. Penalty for darogahs' wilful omission or misrepresentation of any official act.

**Seventh.** Entries how to be attested.

**Eighth.** Rules for furnishing new diary books when required.

**Ninth.** A book to be kept, containing copies of reports, returns, &c.

**Tenth.** Ditto of purwanuhs and orders.

**Eleventh.** Ditto of Chelauns.

**Twelfth.** Ditto of register of heinous offences.

**Thirteenth.** Ditto of lists of stolen property.

**Fourteenth.** Ditto of proclaimed offenders.

**Fifteenth.** Ditto of list of villages comprised within the thannah jurisdiction.

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**Section IX.** Rules regarding returns, reports and statements, to be sent to the magistrates or to the superintendants of police.

**Clause First.** What abstracts and other documents shall, in future, be transmitted to the magistrate.

**Second.** A list of the thannah officers entitled to pay, to be sent monthly to the magistrate. Rules for their payment.

**Third.** Rules to be observed in preparing abstract monthly statements of heinous crimes.

**Fourth.** Wilful murder to be particularly distinguished. Rules for the classification of homicide, not wilful.

**Fifth.** Malicious wounding or injuring simply, how to be classed.

**Sixth.** Affrays, attended with wounding or killing, or violent breach of public peace, how to be classed; drunken broils and assaults, not to be included under that head.

**Seventh.**

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**Seventh.** All cases of entering or breaking into, at any time or by any means, houses, boats, &c. with intent to rob, how to be classed.

**Eighth.** Receiving of stolen property, ditto.

**Ninth.** Arson, (accidental fires not to be included,) ditto.

**Tenth.** Suicide how to be entered.

**Eleventh.** All heinous offences to be reported, though the offenders be not discovered, unsuccessful attempts to commit offences, how to be distinguished.

**Twelfth.** Form No. 4, to be periodically transmitted to the superintendants of police.

**Thirteenth.** Rules for writing and dating of all reports, examinations, to be transmitted to the magistrates.

**Fourteenth.** Rules to be observed in transmitting papers to the foudarry court.

**Fifteenth.** Limited time for the execution of orders and processes, to be specified by the magistrate.

**Sixteenth.** Returns to orders, how to be written and registered.

**Seventeenth.** In the event of delay in making such returns, the cause to be reported at the expiration of the specified time.

**Eighteenth.** Reports to be accurate and concise.

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**Section X.** Rules regarding dawks, and for expediting the transmission of official papers to and from the thannahs.

**Clause First.** Importance of securing the speedy transmission of information.

**Second.** Superintendence of despatches by dawk in whom vested.

**Third.** All government dawk officers, throughout the provinces, to convey orders and reports free of expense.

**Fourth.** Establishment of subordinate dawk stations, peons and pykes to be appointed by zemindars for this duty, where there is no regular dawk. General duties of darogahs on this point.

**Fifth.** Penalty in case of landholders, &c. neglecting the above rules.

**Sixth.** Rule to prevent delay in the transmission of papers by such dawks.

**Seventh.** Further rules for the transmission of thannah reports.

**Eighth.** Darogahs to transmit by dawk or otherwise, reports and papers entrusted to them by the native commissioners.

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**Section XI.** Prohibiting various irregular practices on the part of the police officers.

**Clause First.** Police officers shall not trade.

**Second**

## **A. D. 1817. REGULATION XX.**

**Second.** Darogahs shall not employ police officers on their own private affairs.

**Third.** Penalties in case of a police officer receiving or demanding money from any of the parties in a criminal process.

**Fourth.** Darogah to prohibit the permanent employment at his thannah of the agent of any landholder or farmer.

**Fifth.** Without special authority no darogah shall employ a vakeel at the magistrate's court on official business.

**Sixth.** Except in cases of emergency, no extra mohurers shall be employed at thannahs, without the sanction of the magistrate.

**Seventh.** No professional spy to be employed by darogahs without express sanction of magistrates, but individuals to be encouraged to give information, with a view to the apprehension of notorious offenders.

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### **Section XII. Charges not cognizable by police officers.**

**Clause First.** What crimes the darogahs are prohibited from taking cognizance of.

**Second.** Persons bringing forward complaints of the above description to be referred to the magistrate.

**Third.** Police officers prohibited from admitting compromises, from interfering in any matter not authorized by the Regulations, and from inflicting punishment and exacting money.

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### **Section XIII. General duties of police officers on receiving charges or information of heinous offences.**

**Clause First.** Upon receiving information on oath, or on a hulfnama, of a crime cognizable by him, the darogah shall enquire into the circumstances and examine, publicly or privately, witnesses to the fact.

**Second.** Evidence not to be detailed, but the substance only to be transmitted to the magistrate.

**Third.** Sketch of the spot to be transmitted under certain circumstances, and date of occurrence to be accurately noted.

**Fourth.** Darogahs shall not swear witnesses, except in cases sanctioned by Regulation.

**Fifth.** Darogahs to endeavour to dispatch all evidence, and to secure the attendance of witnesses in due time, so as to prevent delay in the enquiry.

**Sixth.** When the offenders are unknown, the witnesses to the enquiry shall not be bound over to attend without special orders from the magistrate.

**Seventh.** Names and persons of known but absconding offenders shall be accurately described.

**Eighth.**

## **A. D. 1817. REGULATION XX.**

**Eighth.** Separate reports to be made, when a person shall, in the course of enquiry, appear to have been guilty of more than one offence, or when zemindars shall have been negligent in reporting.

**Ninth.** If any person, sent to the magistrate's court, shall be known to have been formerly apprehended, the date of the former case shall also be reported.

**Tenth.** Rules when darogahs shall have occasion to leave their thannahs. Reports to be dated in the current era of the district.

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**Section XIV.** Rules for holding inquests on occasions of murder, homicides, wounding and unnatural deaths.

**Clause First.** Landholders and others held responsible for the early communication of unnatural or suspicious deaths. Penalties for neglect.

**Second.** On receiving information of such cases, the darogah shall immediately proceed in person or dispatch an officer to the spot.

**Third.** Connexions or neighbours to be questioned in the first instance.

**Fourth.** Individuals severely wounded, to be required to describe the circumstance on oath.

**Fifth.** Rules for inspecting the body of the deceased or of the wounded person.

**Sixth.** Rules for the description of the place where the body was found.

**Seventh.** If the deceased be a stranger, to ascertain where he was last seen.

**Eighth.** If the offenders shall not be speedily discovered, to ascertain whether any person in the neighbourhood bore enmity to the deceased; when the unknown offender is supposed to have been wounded, to examine the neighbouring village surgeons.

**Ninth.** The sooruthal to be attested by the darogah or police officer, and by a sufficient number of people who may have been present.

**Tenth.** In cases of murder, the instruments or weapons to be procured, if possible.

**Eleventh.** Assistance to be procured for wounded persons, who are not to be removed so long as risk attends their removal.

**Twelfth.** Rules for the disposal of the body in cases of murder or unnatural death.

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**Section XV.** Enquiries to be made by the police officers in cases of gang-robbery, burglaries and other heinous offences.

**Clause First.** In cases of robbery by open violence and certain other heinous offences, the darogah will proceed to the spot or dispatch an officer.

**Second.** Detail of the enquiries to be pursued in such cases.

**Third.** Such enquiries are to be committed to writing, and attested by three or more respectable inhabitants of the neighbourhood.

**Fourth.**

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**Fourth.** Caution against information being withheld in the first instance.

**Fifth.** Instances of burglary and theft or attempts shall be reported.

**Sixth.** Accuracy to be observed in the date of the offence and description of the circumstances.

**Seventh.** Information to be required from the zemindars and others.

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**Section XVI.** Search for plundered or stolen property.

**Clause First.** Search for stolen property how to be conducted.

**Second.** Without a written declaration, officers shall not search the interior of any building, except by special order of the magistrate.

**Third.** Execution of search-warrants to be reported.

**Fourth.** Representations regarding stolen property to be sent to the magistrate for his orders.

**Fifth.** Particulars relating to the search; what persons to be present.

**Sixth.** Surreptitious introduction of articles into the house, to be carefully guarded against.

**Seventh.** Rules to be observed in searching zenanas.

**Eighth.** The person in whose house property, alleged to be stolen, is found, being unable to give a good account of the same, shall be forwarded to the magistrate.

**Ninth.** Rule for the disposal of unclaimed suspicious property.

**Tenth.** All particulars regarding property, so found, shall be carefully transmitted to the magistrate.

**Eleventh.** Rule for transmission of valuable articles of small bulk.

**Twelfth.** Unclaimed or suspected property only shall be removed, not to be restored without magistrate's order.

**Thirteenth.** In heinous cases a list of property plundered to be affixed in a conspicuous place, and due notice given.

**Fourteenth.** Enquiries to be made from the persons in whose possession the property may be found.

**Fifteenth.** Person finding suspicious property in his own house or premises, how to proceed.

**Sixteenth.** Unclaimed property to belong to government. Rules for its transmission.

**Seventeenth.** Ten per cent of the value of stolen property to be granted to the recovering officers.

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**Section XVII.** Duties of police officers with regard to coiners and utterers of base coin.



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**Darogahs shall search houses of persons accused, upon credible evidence of coin-  
ing, &c. and transmit to magistrate coins, implements and accounts, together with  
the offenders.**

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**Section XVIII. Duties of police officers in the prevention or suppression of af-  
frays and riots.**

**Clause First. Officers of police to be present at fairs, festivals, &c.**

**Second. On notice being given of an intended affray, officers shall require zemindars to disperse the people, on pain of confiscation of the matters in dispute.**

**Third. They shall endeavour to induce them to disperse or to submit their dispute to arbitration; they shall proclaim aloud the consequences of a breach of the peace, and take certain measures to mark the guilty.**

**Fourth. Darogahs shall not depute burkundauzes to defend the property of either party.**

**Fifth. Disputed land or crops shall be described, and boundaries sketched.**

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**Section XIX. Duties of police officers in receiving confessions, and in the treatment of prisoners generally.**

**Clause First. Examinations of prisoners to be taken without oath in the presence of three or more credible witnesses. Rules in cases of voluntary confession.**

**Second. Compulsion or holding out hopes or fears to induce confession, strictly prohibited; penalty on conviction.**

**Third. Special reason must be stated, if the confession be received at night, or in any other place than the police thannah.**

**Fourth. Darogah may hold private verbal examinations.**

**Fifth. Prisoners confessing to be kept separate.**

**Sixth. Witnesses to be carefully bound over.**

**Seventh. Thannah prisoners how to be confined.**

**Eighth. Prisoners of atrocious character may, in the night time only, be placed in stocks.**

**Ninth. They may also be forwarded in light hand-cuffs.**

**Tenth. A strict account shall be taken of unnecessary severity.**

**Eleventh. Rate of travelling for prisoners.**

**Twelfth. Headmen and others shall provide for the custody of prisoners passing through their estates or villages.**

**Thirteenth. What diet money to be allowed to prisoners unable to support themselves during the journey.**

**Fourteenth. Rules for their being delivered over to the proper officers at the sud-  
der station.**

**Fifteenth.**

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**Fifteenth.** Prisoners sent from one station to another, shall be transmitted from thannah to thannah by police burkundauzes.

**Sixteenth.** No prisoner shall be detained at the thannah cutcherry more than forty-eight hours.

**Seventeenth.** Persons apprehended, whether bailed or not, shall be reported, and shall not be discharged, except on bail or by special order.

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**Section XX.** Rules relating to notorious offenders and to vagrants; their apprehension and discharge.

**Clause First.** Darogahs in every district to forward to magistrate all notorious characters.

**Second.** Credible information being given of such characters, darogahs are to make private inquiries, if they see fit they shall apprehend the person, and, as he accounts for himself, shall discharge or transmit him to magistrate.

**Third.** But shall not, in the foregoing case, make the enquiries provided for in next clause.

**Fourth.** Police officer, when directed to make a local enquiry, shall take the evidence of certain persons as to the suspected person's mode of life.

**Fifth.** This report if favourable, shall be transmitted to magistrate, if not, witnesses shall be immediately bound over to appear.

**Sixth.** Persons of bad and suspicious character, discharged from confinement, are to be released in presence of the headmen of their village, who shall be liable to a penalty in the event of their not giving certain enjoined information.

**Seventh.** Penalty specified.

**Eighth.** Darogahs shall apprehend all vagrants.

**Ninth.** On receiving information of their resort, care to be used in their apprehension and examination.

**Tenth.** When names are not known, darogah may apprehend without a specific warrant, when large bodies of vagrants are assembled, he shall apply for assistance to certain authorities.

**Eleventh.** In what cases the darogah empowered to admit such persons to bail and to wait the magistrate's orders.

**Twelfth.** Darogahs enjoined to be careful in the execution of this duty.

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**Section XXI.** Village watchmen.

**Clause First.** Darogahs shall keep a complete list of village watchmen, zemindars or other authorized persons, to nominate a successor on the occurrence of a vacancy.

**Second.** Village watchmen subject to police darogahs.

**Third.**

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**Third.** Rule for the delivery of reports of watchmen residing at a certain distance from the thannahs.

**Fourth.** Occurrences reported by the village watch, to be entered in thannah diaries.

**Fifth.** Proclaimed offenders and those taken in the commission of public offences, shall be sent to the thannah by the village watchmen, who shall give the earliest intelligence of the residence of offenders and commission of crimes.

**Sixth.** Rule for receiving the reports of village watchmen.

**Seventh.** Supervision to be exercised by the darogah ; penalty upon proof of negligence or abuse.

**Eighth.** Watchmen not to be employed on darogah's private concerns.

**Ninth.** In places where regular police establishments may be stationed, duties of watching by whom to be performed.

**Tenth.** The village watchmen to resist robbers to the utmost of their power, and to require zemindars and headmen to lend their assistance in the pursuit and apprehension of criminals : penalty for their refusal.

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### **Section XXII. Concurrent jurisdiction of police darogahs.**

**Clause First.** Darogahs to transmit intelligence of heinous crimes (if the perpetrators be not apprehended,) to neighbouring thannahs.

**Second.** And may pursue into other thannahs or zillahs.

**Third.** Under what circumstances a concurrent jurisdiction to be exercised.

**Fourth.** Rule in the case of a darogah's apprehending offenders in the jurisdiction of another magistrate.

**Fifth.** Do. with regard to invalid thannahs.

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### **Section XXIII. Prosecutors and witnesses.**

**Clause First.** Subpœnas how and by whom to be served.

**Second.** Rules for the execution and delivery of recognizances of witnesses and prosecutors.

**Third.** Darogah shall, in certain cases, require bail from prosecutors, for their appearance before the magistrate.

**Fourth.** Witnesses shall be subjected to no restraint, nor required to give security ; penalty for refusing to execute recognizance.

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### **Section XXIV. Summons.**

**Clause First.** On complaints supported by oath or solemn declaration summonses shall be issued by police officer, and served by a single burkundauze, and not by the party complaining.

**Second.**

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**Second.** When bail is not required, acknowledgment of receipt of process sufficient.

**Third.** Forms of bail for trivial or more important offences ; bail shall not be excessive.

**Fourth.** What warrant shall be issued in cases of persons neglecting summons.

**Fifth.** In case of absence or absconding of the offender, darogah shall require from the head person of his village, an engagement, that he will deliver him up on his return, or give information of his re-appearance.

**Sixth.** Penalty for failure in this engagement.

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### **Section XXV. Arrest of persons and bail.**

**Clause First.** In charges of a serious nature made on oath or solemn declaration, and under certain circumstances, a warrant to be issued.

**Second.** Warrant by whom to be served and how to be executed.

**Third.** Darogah to require assistance of landholders and others, when necessary.

**Fourth.** Offenders taken in the act, to be apprehended without a written warrant.

**Fifth.** Dwelling houses not to be forcibly entered, except in cases of necessity.

**Sixth.** Zenanas shall not be entered, except upon credible information, that offenders are there concealed, and the women to be previously allowed to withdraw.

**Seventh.** Abuse of power subject to exemplary punishment.

**Eighth.** In what cases bail shall not be accepted.

**Ninth.** Form of bail.

**Tenth.** Persons wounding or slaying in self defence, not to be proceeded against, except under special orders of magistrate.

**Eleventh.** In cases of manifest necessity, security for peaceable conduct shall be required in addition to bail. Form of recognizance to keep the peace.

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### **Section XXVI. Resistance or evasion of criminal process.**

**Clause First.** Persons resisting process shall be apprehended and sent to magistrate ; in extreme cases neighbouring thannah officers shall be required to assist.

**Second.** Provisions of former Regulations modified by the following rules.

**Third.** Property in other zillahs of landholders resisting process shall be liable to confiscation, under confirmation of Nizamut Adawlut and government.

**Fourth.** Property, in land in other zillahs of persons absconding shall be liable to be attached, with a view to cause their appearance.

**Fifth.** Discretion vested in magistrate to award a certain fine.

**Sixth.** Movable property of persons not being proprietors of land, evading or resisting process, liable to immediate attachment, in case of suspicion of removal.

**Seventh**

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**Seventh.** But till the magistrate's orders be known, darogah shall only prevent removal.

**Eighth.** Rule of proceeding in making the attachment.

**Ninth.** Property shall be carefully preserved, and a strict account rendered, when the offender shall be entitled to receive it back.

**Tenth.** In event of non-appearance or continued evasion, property to be sold for payment of fine or benefit of government.

**Eleventh.** Rule for proclaiming magistrate's order for appearance.

**Twelfth.** On non-appearance, darogah shall report the due promulgation with witnesses.

**Thirteenth.** Darogahs shall assist zemindars required by magistrate to produce offenders ; they shall also receive charge of them.

**Fourteenth.** Darogahs wounding or killing proclaimed offenders, who may resist, to be held guiltless.

**Fifteenth.** Rewards shall be payable by the magistrate of the zillah or city in which offenders may be apprehended.

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### **Section XXVII. Distraint for arrears of land rent.**

**Clause First.** Provisions of former Regulations modified.

**Second.** Darogahs shall issue a written process upon occasion of resistance, made or apprehended, to an authorized distrainer.

**Third.** Deputed peon shall attend to the proceedings of the distrainer.

**Fourth.** Resistance being offered to the peon, darogah or mohurer, or jemadar, shall proceed to his assistance.—These officers only shall search dwelling houses for distrained property.

**Fifth.** Burkundauzes shall assist in distraint under orders of darogah, mohurer or jemadar only.

**Sixth.** Landholders, indigo planters and others, shall not use stocks or other instruments of restraint.

**Seventh.** Allowance and mode of payment of peons employed in distraint, not in the service of government.

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### **Section XXVIII. Abkaree,**

**Clause First.** Darogahs shall assist on the oath of an authorized revenue officer in distraint for arrears of abkaree revenue.

**Second.** Further rule for the assistance of revenue officers.

**Third.** In such cases, zenanas of respectable persons shall not be entered.

**Fourth.** Rules to be observed by venders of spirituous liquors.

**Fifth.** Darogahs shall report infractions of these rules.

**Section**

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**Section XXIX.** Execution of criminal process in the commercial, salt and opium departments, and duties of darogahs relating to those departments.

**Clause First.** Security for the appearance of persons employed under commercial residents accused of bailable offences, how to be given.

**Second** In such cases, the accused shall not be forced to appear till after the manufacturing season.

**Third.** Rule for serving summonses on witnesses employed in the Company's aurrangs, and form of their recognizance.

**Fourth.** Warrants for offences not bailable shall be served upon persons so employed as upon others. The darogah giving notice to the resident or agent.

**Fifth** Darogahs shall assist in the seizure of illicit salt.

**Sixth.** Shall give notice of all illicit importation, adulteration, or manufacture of salt.

**Seventh.** They shall not seize, in the first instance, of their own authority.

**Eighth.** Penalty for the unvarranted seizure of salt by darogahs.

**Ninth.** Darogahs enjoined to suppress the illicit cultivation of poppy.

**Tenth.** Shall report cases of cultivation of the poppy, and

**Eleventh.** Take security for the offender's appearance before revenue officers.

**Twelfth.** Penalty for omitting to send information.

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**Section XXX.** Miscellaneous rules regarding forts, armed men, military stores, dress of sepoys or lascars and badges. Public roads and insane persons.

**Clause First.** Darogahs shall report all circumstances that may involve danger to the public peace.

**Second.** They shall apprehend all unauthorized persons dressed in the uniform of Company's sepoys.

**Third.** What persons may wear the Company's uniform, when not employed on public duty.

**Fourth.** Persons not in the service of a civil or military officer, shall be apprehended, when wearing a badge or chuprass.

**Fifth.** Darogahs shall report encroachments on the public roads.

**Sixth.** Persons dangerously insane shall be sent to the sudder station, unless the friends of the party enter into engagements to prevent their doing mischief.

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**Section XXXI.** Judges of circuit and Europeans.

**Clause First.** Respect to be shewn to judges of circuit in their progress.

**Second.** Darogah shall report the arrival and proposed residence of any European not in His Majesty's or the Company's service.

**Third.**

## **A. D. 1817. REGULATION XX.**

Third. Form of statement to be presented by darogahs to European residents at the close of each English year.

Fourth. These statements to be forwarded to magistrate.

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### **Section XXXII. Dispatches of treasure.**

Clause First. Darogahs to afford assistance and security to dispatches of government treasure.

Second. And, as far as possible, bankers and merchants also.

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### **Section XXXIII. Rules relating generally to landholders, managers of estates, &c.**

Clause First. Darogahs to make known to landholders their duties in giving information of crimes, apprehending offenders and preventing affrays.

Second. With this view, magistrates shall be careful to furnish darogahs with extracts or copies of certain Regulations.

Third. Zemindars intrusted with the charge of the police to be furnished with copies of and to obey this Regulation.

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### **Section XXXIV. Police of cities.**

Cutwals and police officers in cities and towns, to be guided by this Regulation as far as applicable to them.

## A. D. 1817. REGULATION XXI.

**A REGULATION** for modifying and explaining certain parts of Regulation IV, 1815.

*PASSED by the Vice-President in Council, on the 28th October 1817 ; corresponding with the 13th Kautic 1224 Bengal era ; the 3d Kautic 1225 Fusly ; the 14th Kautic 1225 Willaity ; the 3d Kautic 1874 Sumbut ; and the 16th Zulhej 1232 Higeree. .*

**W**HEREAS it is provided in Regulation IV, 1815, that sundry articles, if imported in the manner specified in the second clause \* of that Regulation, shall be exempt from duty ; and whereas it has been considered expedient, with a view to the further encouragement of British commerce, that a like exemption should be extended to sundry other articles ; and whereas it has been further deemed advisable to modify and explain some of the provisions at present in force for the collection of government customs, the following rules have been enacted, to be in force from the date of their promulgation throughout the territories immediately dependent on the presidency of Fort William.

II. The exemption from duty contained in Section III, Regulation IV, 1815, is hereby extended to the articles hereinafter specified, and generally to all articles coming under the description of wrought or unwrought metals, being the produce or manufacture of the United Kingdom of Great Britain and Ireland ; that is to say :—

Cutlery,  
Table and kitchen utensils,  
Trinkets, composed wholly or chiefly of metals,  
Locks, bolts, and hinges,  
Scales and weights,  
Clocks, watches, and time-keepers,  
Nails of iron and copper,  
Hatchets, hammers, saws, and ironmongery of all sorts,  
Sheet-copper and sheet-iron,  
Wire of iron, brass, steel, silver and gold,  
Lead, in sheets, cast or rolled,  
Copper pumps,  
Mathematical instruments,  
Fire engines,  
Tin ware,  
Shot, for fowling,  
Bellows,  
Braziery.

Preamble.

Specification of articles to which the exemption from duty contained in Section III, Regulation IV, 1815, is declared to extend.

\* The word " Clause" is used in the Government Copy, but was intended, it is presumed, to be " Section."



## A. D. 1817. REGULATION XXI.

Enumeration of articles to be considered as marine stores, and as such to be exempt from duty if imported in the manner specified in Section IV, Regulation IV, 1810.

III. The following articles are hereby declared to be marine stores, within the meaning of Section IV, Regulation IV, 1815, and to be exempt from duty, if imported in the manner therein specified.

Anchors,  
Blocks of sorts,  
Boxes, pump,  
Buntin, of sorts,  
Masts and spars, of all sorts,  
Bells, for ships,  
Canvas, of all sorts,  
Copper-rings,  
Mooring chains,  
Channel work, for ships,  
Azimuth, hanging, and steering compasses,  
Cordage, of all descriptions,  
Deals, of sorts,  
Capstern furniture,  
Time and binnacle glasses,  
Grapnels,  
Figure heads,  
Pump hide,  
Kentledge,  
Lanterns,  
Lines and twine,  
Scupper leather,  
Sail needles, of sorts,  
Spars, of sorts,  
Tar and pitch,  
Palm irons,  
Hawse rollers,  
Rosin,  
Sheaves and pins, of sorts,  
Speaking trumpets, of sorts,  
Vitry,  
Varnish.

Section LVII, Regulation IX, 1810, rescinded.

IV. Section LVII, Regulation IX, 1810, is hereby rescinded.

Goods originally imported on British bottoms at ports subject to the British government in India to be exempted from further duties on their re-exportation to Calcutta or other subordinate ports.

V. *First.* All goods which may be originally imported by sea on a British bottom, at any port in the territories subject to the British government in India, and shall afterwards be re-exported to Calcutta, or any port immediately dependent on this presidency, shall, in cases in which the duty established by the Regulations of this

## A. D. 1817. REGULATION XXI.

this government, does not exceed the amount of the duty retained at the port into which the said goods were first imported, be exempt from all further duty on their importation into Bengal, on the production of a regular certificate from the proper officer, of the amount so paid and retained at the port of original importation.

Provided the duty established by the Regulations does not exceed the duty retained at the port where the goods were imported. Certificates in proof of the duty having been paid to be produced.

*Second.* In like manner in cases in which the duty established at this presidency, may exceed the amount retained at the port of original importation, the difference only will be levied on the importation of the goods into Bengal.

In cases in which the established duty may exceed the amount levied at the port where the goods were imported, the difference only to be demanded at Calcutta.

VI. The rule contained in Section VIII, Regulation IV, 1815, is hereby declared applicable to indigo, the produce of any part of the British territories in India.

Explanation of the rule contained in Section VIII, Regulation IV, 1815.

VII. *First.* The rules contained in Section XII, Regulation IX, 1810, which provide that an additional duty of 2½ per cent, shall be levied on certain articles, the produce of the Vizier's and the Nepaul territories, on exportation by sea; and the provisions regarding drawback, contained in Clause II, Section VIII, and Section X, Regulation IV, 1815, are hereby declared subject to the following modifications.

The provisions contained in Section XII, Regulation IX, 1810, modified.

*Second.* In all cases in which an export duty is payable under the existing Regulations on goods which shall have previously paid an inland or transit duty, such export duty shall be altogether remitted on the exportation of such goods to the United Kingdom:—Provided however that in such cases such a draw-back only shall be allowed as shall reduce the amount of duty retained to 2½ per cent, and where the inland duty shall not exceed that rate, no draw-back shall be allowed.

Goods chargeable with an export duty, on which an inland duty has been paid, to be exempted from the export duty on their exportation to the United Kingdom. Provided such a drawback only be allowed as will reduce the duty retained to 2½ per cent. In cases where the inland duty shall not exceed that rate, no drawback to be allowed.

*Third.* In like manner in regard to goods not subject to any transit duty, the prescribed export duty shall, on their exportation to the said United Kingdom, be reduced to 2½ per cent.

On goods not subject to a transit duty the export duty to be reduced to 2½ per cent.

VIII. The schedules annexed to this Regulation, exhibiting the duties payable, and the drawbacks allowed, on the several articles of commerce therein specified, are published for general information.

Schedules exhibiting duties and draw-backs, published for general information.

# A. D. 1817. REGULATION XXI.

## T A B L E.

### NO. 1.

**TABLE** of the duties levied on Articles, the produce or manufacture of the United Kingdom, or of Foreign Europe, imported on vessels trading under the provisions of the Acts for regulating the direct and circuitous trade between the United Kingdom and India.

ENUMERATION OF GOODS.	<i>The produce or manufacture of the United Kingdom.</i>	<i>The produce or manufacture of Fo- reign Europe.</i>
ANCHORS, and GRAPNELS, . . . . .	No duty.	5 per Cent.
ARTICLES for Wearing Apparel, not of Wool-		
len Manufacture. . . . .	2½ per Cent.	Ditto.
BEADS, . . . . .	Ditto.	Ditto.
BEER, . . . . .	Ditto.	Ditto.
BELLOWS, . . . . .	No duty.	Ditto.
BIRD SHOT, . . . . .	Ditto.	Ditto.
BLACKING and BRUSHES, . . . . .	2½ per Cent.	Ditto.
BLANKETS, . . . . .	No duty.	Ditto.
BLOCKS, of sorts, . . . . .	Ditto.	Ditto.
BOTTLES, empty, . . . . .	2½ per Cent.	Ditto.
BOXES, pump, . . . . .	No duty.	Ditto.
BRASS-WORK, and WARE, . . . . .	Ditto.	Ditto.
BROAD CLOTH, . . . . .	Ditto.	Ditto.
BRAZIERY, . . . . .	Ditto.	Ditto.
BUNTIN, . . . . .	No duty.	Ditto.
CAMBLETS, . . . . .	Ditto.	Ditto.
CANES and RATTANS, . . . . .	2½ per Cent.	Ditto.
CANVAS, . . . . .	No duty.	Ditto.
CAPSTERN FURNITURE, . . . . .	Ditto.	Ditto.
CARRIAGES and CONVEYANCES, . . . . .	2½ per Cent.	Ditto.
CARPETS, of Woollen Manufacture, . . . . .	No duty.	Ditto.
CHALK, . . . . .	2½ per Cent.	Ditto.
CHANNEL WORK for Ships, . . . . .	No duty.	Ditto.
CLOCKS, . . . . .	Ditto.	Ditto.
COALS, . . . . .	2½ per Cent.	Ditto.
COFFIN FURNITURE, . . . . .	No duty.	Ditto.
COMPASSES—Azimuth, Hanging and Steer-		
ing, . . . . .	Ditto.	Ditto.

CON-

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ENUMERATION OF GOODS.	The produce or manufacture of the United Kingdom	The produce or manufacture of Fo- reign Europe.
<b>CONFECTIONERY and SWEETMEATS</b> 2½ per Cent.		5 per Cent.
<b>COPPER</b> , of every description, .. . . . No duty.		Ditto.
<b>COPPER PUMPS</b> , .... . Ditto.		Ditto.
<b>COPPER RINGS</b> , .... . Ditto.		Ditto.
<b>CORAL</b> , .... . 2½ per Cent.		Ditto.
<b>CORDAGE</b> , .... . No duty.		Ditto.
<b>CORKS</b> , .... . 2½ per Cent.		Ditto.
<b>COTTON SCREWS—Iron</b> , .... . No duty.		Ditto.
<b>COTTON YARN and THREAD</b> , .... 2½ per Cent.		Ditto.
<b>CRYSTAL WARE</b> , .. . . . Ditto.		Ditto.
<b>CUTLERY</b> , .. . . . No duty.		Ditto.
<b>CYDER and PERRY</b> , .... . 2½ per Cent.		Ditto.
<b>DEALS</b> , of sorts, ... . . No duty.		Ditto.
<b>EARTHEN-WARE</b> , ... . . 2½ per Cent.		Ditto.
<b>EATABLES</b> , .... . Ditto.		Ditto.
<b>ENGRAVINGS</b> , .... . Ditto.		Ditto.
<b>FIGURE HEADS</b> , .... . No duty.		Ditto.
<b>FILTERING STONES</b> , .... . 2½ per Cent.		Ditto.
<b>FLINT STONES</b> , .... . Ditto.		Ditto.
<b>FIRE and GARDEN ENGINES</b> , .... No duty.*		Ditto.
<b>FURNITURE</b> , Household, .... . 2½ per Cent.		Ditto.
<b>GLASS and GLASS-WARE</b> , of every de- scription, .... . 2½ per Cent.		Ditto.
<b>GOLD and SILVER LACE</b> , .... . Ditto.		Ditto.
<b>GOLD LEAF</b> , .... . No duty.		Ditto.
<b>GRAPNELS</b> , .... . Ditto.		Ditto.
<b>GUERNSEY SHIRTS</b> , .... . Ditto.		Ditto.
<b>GUNS and PISTOLS</b> , .... . Ditto.		Ditto.
<b>GUNPOWDER</b> , .... . 2½ per Cent.		Ditto.
<b>HAMMERS, HATCHETS and SAWS</b> , .. No duty.		Ditto.
<b>HAWSE ROLLERS</b> , .... . Ditto.		Ditto.
<b>HOSE</b> , Woollen, .... . Ditto.		Ditto.
<b>JEWELLERY</b> , .... . Ditto.		Ditto.
<b>IRON</b> , .... . Ditto.		Ditto.
<b>IRON BUTTS, HOOPS, RIVETS, and SHEET</b> , .... . Ditto.		Ditto.

IRON

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<b>ENUMERATION OF GOODS.</b>	<i>The produce of manufacture of the United King- dom.</i>	<i>The produce of manufacture of Fo- reign Europe.</i>
<b>IRON CABLES,</b> .. .. .	No duty.	5 per Cent.
<b>IRON CHAINS,</b> .. ....	Ditto. *	Ditto.
<b>IRON CHESTS,</b> .... ..	Ditto.	Ditto.
<b>IRON KENTLEDGE,</b> .... ..	Ditto.	Ditto.
<b>IRON KNEES,</b> .... ..	Ditto.	Ditto.
<b>IRONMONGERY and IRON WORK,</b>		Ditto.
of every description, ....	Ditto.	Ditto.
<b>IRON, PLATE, or WROUGHT,</b> ....	Ditto.	Ditto.
<b>KENTLEDGE,</b> .... ..	Ditto.	Ditto.
<b>KITCHEN UTENSILS,</b> .... ..	Ditto.	Ditto.
<b>LACE,</b> .. .. .	..2½ per Cent.	Ditto.
<b>LACQUERED WARE,</b> not Metal, ...	Ditto.	Ditto.
<b>LANTHORNS,</b> .. ....	..No duty.	Ditto.
<b>LEAD, IN SHEETS,</b> Cast or Rolled, ...	Ditto.	Ditto.
<b>LEATHER,</b> of sorts, .... ..	..2½ per Cent.	Ditto.
<b>LINES and TWINE,</b> .... ..	..No duty.	Ditto.
<b>LOCKS, BOLTS and HINGES,</b> ....	Ditto.	Ditto.
<b>MANGLES or HACKLES of IRON,</b> ...	Ditto.	Ditto.
<b>MARBLE SLABS and TILES,</b> .. ..	..2½ per Cent.	Ditto.
<b>MASTS, SPARS and OARS,</b> ....	..No duty.	Ditto.
<b>MATHEMATICAL INSTRUMENTS,</b> ..	Ditto.	Ditto.
<b>MEDICINES,</b> .... ..	..2½ per Cent.	Ditto.
<b>METALS,</b> wrought or unwrought, ....	..No duty.	Ditto.
<b>MOORING CHAINS,</b> .... ..	Ditto.	Ditto.
<b>MUSICAL INSTRUMENTS,</b> .. ....	..2½ per Cent.	Ditto.
<b>NAILS, of IRON, or COPPER,</b> .. ..	..No duty.	Ditto.
<b>OILS,</b> .... ..	..2½ per Cent.	Ditto.
<b>OCHRE,</b> .... ..	Ditto.	Ditto.
<b>OPIUM,</b> .. .. .	.....	24 Rs. per Seer.
<b>PAINT and PAINT BRUSHES,</b> .. ..	..2½ per Cent.	5 per Cent.
<b>PALM IRONS,</b> .... ..	....No duty.	Ditto.
<b>PERFUMERY,</b> .... ..	....2½ per Cent.	Ditto.
<b>PIECE GOODS,</b> .... ..	Ditto.	Ditto.
<b>PICTURES,</b> .... ..	Ditto.	Ditto.
<b>PITCH and TAR,</b> .... ..	..No duty.	Ditto.
<b>PLATE and PLATED WARE,</b> .. ..	Ditto.	Ditto.

**PRINTED**

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<b>ENUMERATION OF GOODS.</b>	<i>The Produce or manufacture of the United Kingdom.</i>	<i>The produce or manufacture of Foreign Europe.</i>
<b>PRINTED COTTON, and CALLICOES,</b>	2½ per Cent.	5 per Cent.
<b>PUMP HIDE,</b> . . . . .	..No duty.	Ditto.
<b>QUICK-SILVER,</b> .. . . .	.....	Ditto.
<b>RED and WHITE LEAD,</b> .. . . .	..2½ per Cent.	Ditto.
<b>ROSIN,</b> . . . . .	..No duty.	Ditto.
<b>SADLERY,</b> . . . . .	....2½ per Cent.	Ditto.
<b>SAIL NEEDLES,</b> . . . . .	..No duty.	Ditto.
<b>SCUPPER LEATHER,</b> . . . . .	.. Ditto.	Ditto.
<b>SEEDS, of sorts,</b> . . . . .	....2½ per Cent.	Ditto.
<b>SHAWLS, Woollen Manufacture,</b> . . . . .	....No duty.	Ditto.
<b>SHEAVES and PINS,</b> . . . . .	.. Ditto.	Ditto.
<b>SHOT,</b> .. . . .	.. Ditto.	Ditto.
<b>SODA WATER,</b> ... ..	..2½ per Cent.	Ditto.
<b>SPARS,</b> ... ..	...No duty.	Ditto.
<b>SPEAKING TRUMPETS,</b> ... ..	.. Ditto.	Ditto.
<b>SPIRITUOUS LIQUORS,</b> ... ..	..10 per Cent.	10 per Cent.
<b>SPIRITS of TURPENTINE,</b> . . . . .	...2½ per Cent.	5 per Cent.
<b>STATIONERY and BOOKS,</b> . . . . .	.... Ditto.	Ditto.
<b>STEEL,</b> ... ..	...No duty.	Ditto.
<b>TABLE UTENSILS,</b> .. . . .	..No duty.	Ditto.
<b>TALLOW, BRITISH,</b> .. . . .	..2½ per Cent.	Ditto.
<b>TIME and BINNACLE GLASSES,</b> .. . . .	..No duty.	Ditto.
<b>TIN,</b> . . . . .	.. Ditto.	Ditto.
<b>TIN PLATES and TIN WARE, of every description,</b> ... ..	.. Ditto.	Ditto.
<b>TOBACCO and SNUFF,</b> .. . . .	...2½ per Cent.	Ditto.
<b>TOBACCO PIPES,</b> .. . . .	.. Ditto.	Ditto.
<b>TOYS of IRON, or TIN,</b> - . . . .	...No duty.	Ditto.
<b>TYPES,</b> . . . . .	.... Ditto.	Ditto.
<b>TRINKETS, composed wholly or chiefly of Metal,</b> . . . . .	.... Ditto.	Ditto.
<b>TURPENTINE,</b> . . . . .	....2½ per Cent.	Ditto.
<b>VARNISH,</b> . . . . .	... Ditto.	Ditto.
<b>VEGETABLE SYRUP,</b> .. . . .	.. Ditto.	Ditto.
<b>VERDIGRISE,</b> .. . . .	.. Ditto.	Ditto.
		<b>VINEGAR,</b>

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<i>ENUMERATION OF GOODS.</i>	<i>The produce or manufacture of the United Kingdom.</i>	<i>The produce or manufacture of Foreign Europe.</i>
<b>VINEGAR,</b> ..	... 2½ per Cent.	5 per Cent.
<b>VITRY,</b> ..	... No duty.	Ditto.
<b>WATCHES and TIME KEEPERS,</b> ..	Ditto.	Ditto.
<b>WEIGHTS and SCALES,</b> ..	Ditto.	Ditto.
<b>WIRE of IRON, BRASS, STEEL, SIL-</b>		Ditto.
<b>VER and GOLD,</b> ...	Ditto.	Ditto.
<b>WINES and SPIRITS,</b> ....	. 10 per Cent.	10 per Cent.
<b>WOOLLENS,</b> ....	No duty.	5 per Cent.
<b>All Articles not specified above,</b>	... 2½ per Cent.	Ditto.

**A. D. 1817. REGULATION XXI.**

**T A B L E.**

**No. II.**

**TABLE** of the rates of duties levied on the following goods (not being the produce or manufacture of the United Kingdom, or of foreign Europe) on their importation into Calcutta by sea, on British or foreign bottoms, and the drawbacks allowed on re-exportation to the United Kingdom on vessels trading under the provisions of the Acts for regulating the direct and circuitous trade between the United Kingdom and India.

ENUMERATION OF GOODS.	If imported on a British Bottom.		If imported on a Foreign Bottom.	
	Import duty.	Drawback on re-exportation to the United Kingdom.	Import duty.	Drawback on re-exportation to the United Kingdom.
	Per Cent on value.	Proportion of duty.	Per Cent on value.	Proportion of duty.
ALL SPICE, . . . . .	10	$\frac{1}{4}$ ths.	20	$\frac{1}{4}$ ths.
ALOE WOOD, . . . . .	7 $\frac{1}{2}$	2-3ds.	15	5-6ths.
ALUM, . . . . .	10	$\frac{1}{4}$ ths.	20	$\frac{1}{4}$ ths.
AMBERGRIS, . . . . .	7 $\frac{1}{2}$	2-3ds.	15	5-6ths.
ANISE, . . . . .	ditto	ditto	ditto	ditto
ARRACK—Batavia, . . . . .	{ Sa. Rs. 50 per Leagur. }		{ Sa. Rs. 110 per Leagur. }	
DITTO—from America, . . . . .	10	$\frac{1}{4}$ ths.	20	$\frac{1}{4}$ ths.
DITTO—from Foreign Territories				
in Asia, . . . . .	30	11-12ths.	60	23-24ths.
ARSENIC—Red, White, or Yellow, . . . . .	10	$\frac{1}{4}$ ths.	20	$\frac{1}{4}$ ths.
ANSAFOETIDA, . . . . .	ditto	ditto	ditto	ditto.
ALTAH, . . . . .	7 $\frac{1}{2}$	2-3ds.	15	5-6ths.
AWL ROOT, . . . . .	ditto	ditto	ditto	ditto.
BEADS, MALAS, or ROZARIES, . . . . .	ditto	ditto	ditto	ditto.
BEETLENUT, . . . . .	ditto	ditto	ditto	ditto.
DITTO,—Town Duty, . . . . .	5	Total	10	Total
BENJAMIN, . . . . .	7 $\frac{1}{2}$	2-3ds.	15	5-6ths.
BORAX, . . . . .	5	2-3ds.	10	$\frac{1}{4}$ ths.
BRANDY, . . . . .	10	$\frac{1}{4}$ ths.	20	$\frac{1}{4}$ ths.
DITTO—from Foreign Territories				
in Asia, . . . . .	30	11-12ths.	60	23-24ths.

**BRASS,**



**A. D. 1817. REGULATION XXI.**

ENUMERATION OF GOODS.				If imported on a British Bottom.		If imported on a Foreign Bottom.	
				Import duty.	Drawback on re-exportation to the United Kingdom.	Import duty.	Drawback on re-exportation to the United Kingdom.
				Per Cent. on value.	Proportion of duty.	Per Cent. on value.	Proportion of duty.
BRASS,	....	....	10	$\frac{1}{4}$ ths.	20	$\frac{1}{4}$ ths.	
BRIMSTONE,	....	..	ditto	ditto	ditto	ditto.	
BROCADES,	....	..	7 $\frac{1}{2}$	2-3ds.	15	5-6ths.	
BUHERA,	....	....	10	$\frac{1}{4}$ ths.	20	$\frac{1}{4}$ ths.	
BUCKUM WOOD,	....	....	7 $\frac{1}{2}$	2-3ds.	15	5-6ths.	
BULLION and COIN,	....	No duty.		{ No drawback. }	No duty.	{ No drawback. }	
CALLIJEERAH,	..	..	7 $\frac{1}{2}$	2-3ds.	15	5-6ths.	
CAMPHIRE,	....	..	10	$\frac{1}{4}$ ths.	20	$\frac{1}{4}$ ths.	
CANVAS,	....	....	5	2-3ds.	10	$\frac{1}{4}$ ths.	
CARDAMUMS,	....	....	7 $\frac{1}{2}$	ditto	15	5-6ths.	
CARRIAGES,	....	..	ditto	ditto	ditto	ditto.	
CASSIA,	....	..	10	$\frac{1}{4}$ ths.	20	$\frac{1}{4}$ ths.	
CHANKS,	....	..	7 $\frac{1}{2}$	2-3ds.	15	5-6ths.	
CHERAYTA,	....	..	10	$\frac{1}{4}$ ths.	20	$\frac{1}{4}$ ths.	
CHINA GOODS,	....	..	7 $\frac{1}{2}$	2-3ds.	15	5-6ths.	
CLOVES,	....	....	10	$\frac{1}{4}$ ths.	20	$\frac{1}{4}$ ths.	
COCHINEAL,	....	..	7 $\frac{1}{2}$	2-3ds.	15	5-6ths.	
COCOANUTS,	....	..	5	2-3ds.	10	$\frac{1}{4}$ ths.	
COFFEE,	....	....	7 $\frac{1}{2}$	2-3ds.	15	5-6ths.	
COIR,	....	....	5	ditto	10	$\frac{1}{4}$ ths.	
COLUMBO ROOT,	....	....	10	$\frac{1}{4}$ ths.	20	$\frac{1}{4}$ ths.	
COOSUM FLOWER,	....	....	7 $\frac{1}{2}$	2-3ds.	15	5-6ths.	
COPAL or KUHROBA,	....	....	10	$\frac{1}{4}$ ths.	20	$\frac{1}{4}$ ths.	
COPPER,	....	....	ditto	ditto	ditto	ditto.	
CORAL,	....	....	ditto	ditto	ditto	ditto.	
CORDAGE,	....	..	5	2-3ds.	10	$\frac{1}{4}$ ths.	
COWRIES,	....	..	ditto	ditto	ditto	ditto.	
CRIMDANA,	....	..	7 $\frac{1}{2}$	ditto	15	5-6ths.	
DAMMER,	....	..	5	ditto	10	$\frac{1}{4}$ ths.	
DHYE FLOWER,	....	....	7 $\frac{1}{2}$	ditto	15	5-6ths.	
ELEPHANT'S TEETH,	..	ditto	ditto	ditto	ditto	ditto.	
EMBROIDERED GOODS,	..	ditto	ditto	ditto	ditto	ditto.	

**ERANKINCENSE.**

**A. D. 1817. REGULATION XXI.**

<b>ENUMERATION OF GOODS.</b>		<i>If imported on a British Bottom.</i>		<i>If imported on a Foreign Bottom.</i>	
		<i>Import duty.</i>	<i>Drawback on re-exportation to the United Kingdom.</i>	<i>Import duty.</i>	<i>Drawback on re-exportation to the United Kingdom.</i>
		<i>Per Cent on value.</i>	<i>Proportion of duty.</i>	<i>Per Cent on value.</i>	<i>Proportion of duty.</i>
FRANKINCENSE,	....	7½	2-3ds.	15	5-6ths.
GALBANUM,	.... ..	10	¾ths.	20	¾ths.
GALINGALL,	.... ..	7½	2-3ds.	15	5-6ths.
GHEE,	.... ..	5	ditto	10	¾ths.
DITTO, Town duty,	....	10	Total	20	Total
GIN,	.... ..	10	¾ths.	20	¾ths.
DITTO, from Foreign Territories					
in Asia,	.... ..	30	11-12ths.	60	23-24ths.
GOOMOOTOO, and other Articles					
(Coir excepted) used for the manufacture of Cordage,	....	No duty.	.....	No duty.	.....
GOOPEE MATTEE,	....	10	¾ths.	20	¾ths.
GUM ARABIC,	.... ..	ditto	ditto	ditto	ditto.
GUNDEBEROZA,	....	7½	2-3ds.	15	5-6ths.
HORSES,	.... ..	No duty.	.....	No duty.	.....
HURRAH,	.... ..	10	¾ths.	20	¾ths.
HURSINGAH FLOWER,	....	7½	2-3ds.	15	5-6ths.
HURTAUL,	.... ..	10	¾ths.	20	¾ths.
INDIGO,	.... ..	5	Total.	10	Total
IRON and manufactured Iron,	....	10	¾ths.	20	¾ths.
JUTTA MUNSEE,	....	10	ditto	ditto	ditto.
IVORY,	.... ..	7½	2-3ds.	15	5-6ths.
KULLINJEEN,	.... ..	ditto	ditto	ditto	ditto.
KUTCH,	.... ..	5	ditto	10	¾ths.
LAC,	.... ..	ditto	ditto	ditto	ditto.
LEAD, Pig, Sheet, milled and small					
Shot,	.... ..	10	¾ths.	20	¾ths.
LOADH,	.... ..	7½	2-3ds.	15	5-6ths.
LOBAN,	.... ..	7½	2-3ds.	15	5-6ths.
MACE,	.... ..	10	¾ths.	20	¾ths.
MADDER,	.... ..	1½	2-3ds.	15	5-6ths.
MAHOGANY,	.... ..	ditto	ditto	ditto	ditto.

**MARINE**

A. D. 1817. REGULATION XXI.

ENUMERATION OF GOODS.				If imported on a British Bottom.		If imported on a Foreign Bottom.	
				Import duty.	Drawback on re-exportation to the United Kingdom.	Import duty.	Drawback on re-exportation to the United Kingdom.
				Per Cent on value.	Proportion of duty.	Per Cent on value.	Proportion of duty.
MARINE STORES,	.....			5	ditto	10	$\frac{1}{4}$ ths.
MASTICK,	.....			10	$\frac{1}{4}$ ths.	20	$\frac{3}{8}$ ths.
MORINDA,	.....			$7\frac{1}{2}$	2-3ds.	15	5-6ths.
MUNJEET,	.....			$7\frac{1}{2}$	2-3ds.	15	5-6ths.
MUSK,	.....			ditto	ditto	ditto	ditto.
MYROBALANS,	.....			10	$\frac{1}{4}$ ths.	20	$\frac{3}{8}$ ths.
MYRRH,	.....			ditto	ditto	ditto	ditto.
NUTMEGS,	.....			ditto	ditto	ditto	ditto.
OILS, Vegetable or Animal,	.....			$7\frac{1}{2}$	2-3ds.	15	5-6ths.
DITTO, Town Duty,	.....			5	Total	10	Total.
OIL SEED,	.....			$7\frac{1}{2}$	2-3ds.	15	5-6ths.
DITTO, Town Duty,	.....			5	Total	10	Total.
OILS, perfumed or essential,	..			$7\frac{1}{2}$	2-3ds.	15	5-6ths.
OPIUM,	.....			{ 24 Rs. per Seer. }	{ No drawback. }	48	{ No drawback. }
ORPIMENT or YELLOW AR-							
SENIC,	.....			10	$\frac{1}{4}$ ths.	20	$\frac{3}{8}$ ths.
OTTER,	.....			$7\frac{1}{2}$	2-3ds.	15	5-6ths.
OWNLA,	.....			10	$\frac{1}{4}$ ths.	20	$\frac{3}{8}$ ths.
PEPPER, black and white	.....			ditto	ditto	ditto	ditto.
PIECE GOODS, COTTON,	..			$7\frac{1}{2}$	2-3ds.	15	5-6ths.
DITTO SILK, or partly COT-							
TON, and partly SILK,	.....			ditto	ditto	ditto	ditto.
PIMENTO,	.....			10	$\frac{1}{4}$ ths.	20	$\frac{3}{8}$ ths.
PIPE STAVES,	.....			$7\frac{1}{2}$	2-3ds.	15	5-6ths.
PRECIOUS STONES and							
PEARLS,	.....			No duty.	.....	No duty.	.....
PRUSSIAN BLUE,	.....			10	$\frac{1}{4}$ ths.	20	$\frac{3}{8}$ ths.
PUTCHAPAUT,	.....			$7\frac{1}{2}$	2-3ds.	15	5-6ths.
QUICK SILVER,	.....			10	$\frac{1}{4}$ ths.	20	$\frac{3}{8}$ ths.
RATANS,	.....			$7\frac{1}{2}$	2-3ds.	15	5-6ths.
RAW HIDES,	.....			5	ditto	10	$\frac{1}{4}$ ths.

RED

**A. D. 1817. REGULATION XXI.**

<b>ENUMERATION OF GOODS.</b>		<i>If imported on a British Bottom.</i>		<i>If imported on a Foreign Bottom.</i>	
		<i>Import duty.</i>	<i>Drawback on re-exportation to the United Kingdom.</i>	<i>Import duty.</i>	<i>Drawback on re-exportation to the United Kingdom.</i>
		<i>Per Cent on value.</i>	<i>Proportion of duty.</i>	<i>Per Cent on value.</i>	<i>Proportion of duty.</i>
<b>RED SANDAL WOOD,</b>	....	7½	ditto	15	5-6ths.
<b>RESIN,</b>	....	5	ditto	10	¾ths.
<b>ROSE WATER,</b>	....	7½	ditto	15	5-6ths.
<b>RUM,</b>	....	10	¾ths.	20	¾ths.
<b>DITTO. from Foreign Territories</b>					
in Asia,	....	30	11-12ths.	60	23-24ths.
<b>SAFFRON,</b>	....	10	¾ths.	20	¾ths.
<b>SAGO,</b>	....	7½	2-3ds.	15	5-6ths.
<b>SALT, (Foreign)</b>	....	{ 3 Rs. per Maund. }	{ No drawback. }	{ 6 Rs. per Maund. }	{ No drawback. }
<b>SANDEL WOOD, red,</b>	....	7½	2-3ds.	15	5-6ths.
<b>Ditto, white, or yellow,</b>	....				
<b>SAPPAN WOOD,</b>	....	Ditto	ditto	ditto	ditto
<b>SENNA,</b>	....	10	¾ths.	20	¾ths.
<b>SOONAMOOKY LEAF,</b>	....	Ditto	ditto	ditto	ditto
<b>SPIKENARD,</b>	....	Ditto	ditto	ditto	ditto
<b>STEEL, and MANUFACTURED</b>					
<b>STEEL,</b>	....	Ditto	ditto	ditto	ditto
<b>STORAX,</b>	....	Ditto	ditto	ditto	ditto
<b>SUGAR, wet or dry, including</b>					
<b>JAGGREE and MOLASSES,</b>	....	5	2-3ds.	10	¾ths.
<b>Ditto, Town duty,</b>	....	Ditto	Total	ditto	Total
<b>SULPHUR,</b>	....	10	¾ths.	20	¾ths.
<b>TAPE,</b>	....	7½	2-3ds.	15	5-6ths.
<b>TAIZPAUT,</b>	....	10	¾ths.	20	¾ths.
<b>TEAK TIMBER, used for ship building,</b>					
	....	No duty.			
<b>THREAD,</b>	....	7½	2-3ds.	15	5-6ths.
<b>TIN,</b>	..	10	¾ths.	20	¾ths.
<b>TINCAL,</b>	....	5	2-3ds.	10	¾ths.
<b>TOBACCO, town duty only,</b>	..	10	¾ths.	20	¾ths.
<b>TOOND FLOWER,</b>	....	7½	2-3ds.	15	5-6ths.
<b>TUGGAR,</b>	....	Ditto	ditto	ditto	ditto

**TURMERIC,**

A. D. 1817. REGULATION XXI.

ENUMERATION OF GOODS.				If imported on a British Bottom.		If imported on a Foreign Bottom.	
				Import duty.	Drawback on re-exportation to the United Kingdom.	Import duty.	Drawback on re-exportation to the United Kingdom.
				Per Cent on value.	Proportion of duty.	Per Cent on value.	Proportion of duty.
TURMERIC,	....	..	5	ditto	10	$\frac{1}{4}$ ths.	
Ditto, town duty,	....	..	5	Total	10	Total	
TURPENTINE,	..	..	5	2-3ds.	10	$\frac{1}{4}$ ths.	
TUTENAGUE,	..	..	10	$\frac{1}{4}$ ths.	20	$\frac{1}{4}$ ths.	
UGGUR,	..	...	7 $\frac{1}{2}$	2-3ds.	15	5-6ths.	
VERMILION,	....	..	10	$\frac{1}{4}$ ths.	20	$\frac{1}{4}$ ths.	
VERDIGRISE,	..	..	Ditto	ditto	ditto	ditto	
WAX,	..	..	Ditto	ditto	ditto	ditto	
WAX CANDLES,	....	..	10	$\frac{1}{4}$ ths.	20	$\frac{1}{4}$ ths.	
WINES,	..	..	Ditto	ditto	ditto	ditto	
WOOD, of all sorts, used in cabinet work,	....	..	7 $\frac{1}{2}$	2-3ds.	15	5-6ths.	
WOOLLENS,	....	..	5	ditto	10	$\frac{1}{4}$ ths.	
YELLOW-OCHE or GOOPEE							
MATTEE,	....	....	10	$\frac{1}{4}$ ths.	20	$\frac{1}{4}$ ths.	
All Articles not specified in the above list.			5	2-3ds.	10	$\frac{1}{4}$ ths.	

**A. D. 1817. REGULATION XXI.**

**T A B L E.**

**No. III.**

TABLE of internal or transit duties payable on the following articles, and of the drawbacks allowed on exportation by sea to the United Kingdom, on vessels trading under the provisions of the Acts for regulating the direct and circuitous trade between the United Kingdom and India.

ENUMERATION OF GOODS.	Transit duty.	Drawback on exportation to the United Kingdom.
	<i>Per Cent on value.</i>	<i>Proportion of duties.</i>
AJEWAIN or JOWAIN, . . . . .	7½	2-3ds.
ALKALI, . . . . .	5	½
ALOE WOOD, . . . . .	7½	2-3ds.
ALUM, . . . . .	10	¼ths.
AMBERGRIS, . . . . .	7½	2-3ds.
ANISE, or MOURIE, or SONF, . . . . .	Ditto.	Ditto.
ARSENIC, white, red or yellow, . . . . .	10	¼ths.
ASSAFŒTIDA, . . . . .	Ditto.	Ditto.
ALTAH, . . . . .	7½	2-3ds.
AWL ROOT or MORINDA, . . . . .	Ditto.	Ditto.
BEEETLENUT, . . . . .	Ditto.	Ditto.
DITTO, Town duty, . . . . .	5	Total.
BENJAMIN, . . . . .	7½	2-3ds.
BLANKETS, . . . . .	5	½
DITTO, imported from Nepaul, . . . . .	2½	No drawback.
BOOTS, SHOES. and SLIPPERS, . . . . .	5	½
BORAX, . . . . .	5	½
DITTO, imported from Nepaul, . . . . .	2½	No drawback.
BRASS, unwrought, . . . . .	10	¼ths.
DITTO, imported from Nepaul, . . . . .	2½	No drawback.
BRIMSTONE, . . . . .	10	¼ths.
BROCÁDES, . . . . .	7½	2-3ds.
DITTO, from Vizier's or Nepaul Territories, . . . . .	2½	No drawback.
BUHERA, . . . . .	7½	2-3ds.
BUCKUM WOOD, . . . . .	Ditto.	Ditto.
CALIJEERAH, . . . . .	7½	2-3ds.
CAMPFIRE, . . . . .	Ditto.	Ditto.
CARDAMUMS, . . . . .	Ditto.	Ditto.
CARPETS, . . . . .	Ditto.	Ditto.
		CASSIA,

# A. D. 1817. REGULATION XXI.

ENUMERATION OF GOODS.	Transit duty.	Drawback on exportation to the United Kingdom.
	<i>Per cent on value.</i>	<i>Proportion of duties.</i>
CASSIA, imported from Nepaul, . . . .	2½	No drawback.
CHANKS, or SAUNKS, . . . .	7½	2-3ds.
CHERAYTAH, . . . .	Ditto.	Ditto.
CHOWRIES, . . . .	5	½
DITTO, imported from Nepaul, . . . .	2½	No drawback.
CHUCKRASSY, . . . .	7½	2-3ds.
CHUNAM, to be levied at Calcutta, and Dacca only, . . . .	10	¼ths.
CHUTTA, . . . .	5	½
CIVET, country produce, . . . .	7½	2-3ds.
DITTO, imported from Nepaul, . . . .	2½	No drawback.
CLOVES, . . . .	10	¼ths.
COCHINEAL, . . . .	7½	2-3ds.
COCOANUTS, either with, or without bark, . . . .	5	½
COLUMBO ROOT, . . . .	7½	2-3ds.
COOSUM FLOWER, . . . .	Ditto.	Ditto.
COPAL or KUHROBA, . . . .	Ditto.	Ditto.
COPPER, unwrought, . . . .	10	¼ths.
DITTO, imported from Nepaul, whether wrought or unwrought. . . .	2½	No drawback.
CORAL, . . . .	10	¼ths.
CORIANDER, or DHONEA, . . . .	7½	2-3ds.
COTTON, cleaned, . . . .	{ 5 per cent, not exceeding 12 As. per maund of 96 Calcutta Sa. Wt. }	Total.
DITTO, uncleaned, . . . .	{ Ditto not exceeding 4 As. ditto. }	Total.
COTTON YARN, . . . .	7½	2-3ds.
COW TAILS, . . . .	5	½
DITTO, imported from Nepaul, . . . .	2½	No drawback.
CRIMDANAH, . . . .	7½	2-3ds.
CUMMIN or JEERAH, . . . .	Ditto.	Ditto.
DAMMER, . . . .	5	½
DHYE FLOWER, . . . .	7½	2-3ds.
DRY GINGER, . . . .	Ditto.	Ditto.
ELEPHANT'S TEETH, . . . .	Ditto.	Ditto.
EMBROIDERED GOODS, and BROCADES, . . . .	7½	2-3ds.

DITTO.

**A. D. 1817. REGULATION XXI.**

<b>ENUMERATION OF GOODS.</b>	<b>Transit duty.</b>	<b>Drawback on ex- portation to the United Kingdom.</b>
	<i>Per cent on value.</i>	<i>Proportion of duties.</i>
<b>DITTO, imported from Vizier's, or Nepaul</b>		
Territories, . . . . .	2½	No drawback.
<b>FRANKINCENSE, . . . . .</b>	7½	2-3ds.
<b>FRINGES, . . . . .</b>	Ditto.	Ditto.
<b>DITTO, imported from the Vizier's, or Ne- paul Territories, . . . . .</b>	2½	No drawback.
<b>FURS, . . . . .</b>	5	½
<b>DITTO, imported from Nepaul, . .</b>	2½	No drawback.
<b>GALBANUM, the produce of the country, .</b>	7½	2-3ds.
<b>GHEE, Town duty, . . . . .</b>	10	¼ths.
<b>GOPEE MATTEE, . . . . .</b>	Ditto.	Ditto.
<b>GUM ARABIC, the produce of the country, .</b>	7½	2-3ds.
<b>GUNNIES, and GUNNY BAGS, . .</b>	5	½
<b>GUNDEBEROZA, . . . . .</b>	7½	2-3ds.
<b>HOKKAH, and HOKKAH SNAKES, . .</b>	Ditto.	Ditto.
<b>HURRAH, . . . . .</b>	Ditto.	Ditto.
<b>HURSINGAH FLOWER, . . . . .</b>	Ditto.	Ditto.
<b>HURTAL, . . . . .</b>	10	¼ths.
<b>JARREL, red, or white, . . . . .</b>	Ditto.	Ditto.
<b>INDIGO, the manufacture of the British     Territories, on a fixed valuation of one     hundred Rupees per Factory maund, }</b>	5	Total.
<b>Ditto, the manufacture of the Vizier's Terri-     tories, . . . . .</b>	5	½
<b>IRON, . . . . .</b>	10	¼ths.
<b>Ditto, imported from Nepaul, . . . . .</b>	2½	No drawback.
<b>JUTTA MUNSEE, . . . . .</b>	7½	2-3ds.
<b>IVORY, . . . . .</b>	Ditto.	Ditto.
<b>KEORAH WATER, . . . . .</b>	Ditto.	Ditto.
<b>KUTCH, . . . . .</b>	5	½
<b>LACE, gold and silver, . . . . .</b>	Ditto.	Ditto.
<b>LEATHER, . . . . .</b>	Ditto.	Ditto.
<b>LACK, stick, joory, shell, cake and seed, . .</b>	5	Ditto.
<b>LOADH, . . . . .</b>	7½	2-3ds.
<b>LOBAN or BENJAMIN, . . . . .</b>	Ditto.	Ditto.
<b>LONG PEPPER, and LONG PEPPER     ROOT, . . . . .</b>	Ditto.	Ditto.

**LOOYS,**



**A. D. 1817. REGULATION XXI.**

<b>ENUMERATION OF GOODS.</b>	<b>Transit duty.</b>	<b>Drawback on ex- portation to the United Kingdom.</b>
	<i>Per cent on value.</i>	<i>Proportion of duties.</i>
<b>LOOYS,</b> . . . . .	5	$\frac{1}{2}$
<b>LOOYS,</b> imported from Nepaul, . . .	2 $\frac{1}{2}$	No drawback.
<b>MADDER,</b> . . . . .	7 $\frac{1}{2}$	2-3ds.
<b>MASTICK,</b> . . . . .	Ditto.	Ditto.
<b>MINIUM,</b> . . . . .	10	$\frac{1}{4}$ ths.
<b>MORINDA,</b> . . . . .	7 $\frac{1}{2}$	2-3ds.
<b>MOWRY,</b> . . . . .	Ditto.	Ditto.
<b>MUNJEET</b> or <b>MADDER,</b> . . . . .	7 $\frac{1}{2}$	2-3ds.
<b>MUSK,</b> . . . . .	Ditto.	Ditto.
Ditto, imported from Nepaul, . . . . .	2 $\frac{1}{2}$	No drawback.
<b>MYROBALANS,</b> . . . . .	7 $\frac{1}{2}$	2-3ds.
<b>MYRRH,</b> . . . . .	Ditto.	Ditto.
<b>MUSTARD</b> and <b>SESAMUN,</b> . . . . .	Ditto.	Ditto.
<b>OILS,</b> vegetable or animal, . . . . .	Ditto.	Ditto.
Ditto, Town duty, . . . . .	5	Total.
<b>OIL SEED,</b> . . . . .	7 $\frac{1}{2}$	2-3ds.
Ditto, Town duty, . . . . .	5	Total.
<b>OIL,</b> perfumed or essential, . . . . .	7 $\frac{1}{2}$	2-3ds.
<b>ORPIMENT,</b> or <b>YELLOW ARSENIC,</b> . . . . .	10	$\frac{1}{4}$ ths.
<b>OTTER,</b> . . . . .	7 $\frac{1}{2}$	2-3ds.
<b>OWNLA,</b> . . . . .	Ditto.	Ditto.
<b>PAPER,</b> Bengal, . . . . .	5	$\frac{1}{2}$
<b>PEOREE,</b> . . . . .	10	$\frac{1}{4}$ ths.
<b>PEPPER,</b> black and white, . . . . .	Ditto.	Ditto.
<b>PIECE GOODS,</b> cotton, . . . . .	7 $\frac{1}{2}$	2-3ds.
Ditto, on importation from Vizier's or Ne- paul Territories, . . . . .	2 $\frac{1}{2}$	No drawback.
<b>PIECE GOODS,</b> silk or partly cotton, part- ly silk, . . . . .	7 $\frac{1}{2}$	2-3ds.
Ditto, from Vizier's and the Nepaul Territo- ries, . . . . .	2 $\frac{1}{2}$	No drawback.
<b>PIPE STAVES,</b> . . . . .	7 $\frac{1}{2}$	2-3ds.
<b>PUTCHAPAUT,</b> . . . . .	Ditto.	Ditto.
<b>PUTTIES,</b> . . . . .	5	$\frac{1}{2}$
<b>RANGAMATTEE,</b> or <b>INDIAN RED,</b> . . . . .	10	$\frac{1}{4}$ ths.
<b>RAW HIDES,</b> . . . . .	5	$\frac{1}{2}$
<b>ROSIN,</b> . . . . .	Ditto.	Ditto.
		<b>ROSEWATER.</b>

**A. D. 1817. REGULATION XXI.**

<i>ENUMERATION OF GOODS.</i>				<i>Transit duty.</i>	<i>Drawback on ex- portation to the United Kingdom.</i>
				<i>Per cent on value.</i>	<i>Proportion of duties.</i>
ROSE WATER,	....	....		7½	2-3ds.
SAFFRON,	..	..	..	10	¼ths.
SAL-AMONIAC,	....	....		5	½
SALT-PETRE,	....	..		7½	2-3ds.
SANDEL WOOD,	....	..		Ditto.	Ditto.
SAPPAN WOOD,	....	..		Ditto.	Ditto.
SAUL TIMBER,	....	..		10	¼ths.
SILK, RAW FILATURE, on a valuation of 7 Rupees per Seer of eighty Calcutta Sicca Weight,	....	..		7½	2-3ds.
DITTO, Bengal wound, on a valuation of 6 Rupees per Seer of eighty Calcutta Sic- ca Weight,	..	..	..	Ditto.	Ditto.
SILK TUSHAH, ad valorem,		..		Ditto.	Ditto.
DITTO CHASSUM, ad valorem,		..		Ditto.	Ditto.
SISSOO TIMBER,	....	..		10	¼ths.
SENNA,	....	....		7½	2-3ds.
SETRINGEES,	....	..		Ditto.	Ditto.
SHAWLS,	....	....		10	¼ths.
SITSAL,	....	....		7½	2-3ds.
SOAP,	....	..		5	½
SONF,	....	....		7½	2-3ds.
SOOJEE MATTEE,	....	..		5	½
SOONAMOOKY LEAF,	....	....		7½	2-3ds.
SOONDRY TIMBER,	....	....		10	¼ths.
SPIKENARD,	....	....		7½	2-3ds.
STEEL,	....	....		10	¼ths.
DITTO, imported from Nepaul,	...			2½	No drawback.
STONE PLATES,	....	..		5	½
STORAX,	....	....		7½	2-3ds.
SUGAR, JAGGRY, GOOR and SYRUP,				5	½
DITTO, Town duty,	..	..		Ditto.	Total.
SULPHUR,	....	..		10	¼ths.
TALLOW CANDLES,	..	..		5	½
TAPE,	..	....		7½	2-3ds.
DITTO, from Vizier's or Nepaul Territories,				2½	No drawback.
TAIZPAUT, imported from Nepaul,	..			2½	Ditto.
THREAD,	....	....		7½	2-3ds.

**THREAD,**

**A. D. 1817. REGULATION XXI.**

<b>ENUMERATION OF GOODS.</b>	<b>Transit duty.</b>	<b>Drawback on exportation to the United Kingdom.</b>
	<i>Per cent on value.</i>	<i>Proportion of duties.</i>
<b>THREAD</b> , imported from Nepaul, or Vierzier's Territories, .. .. .	2½	No drawback.
<b>TIMBER</b> , Viz. .. .. .		
Saul, Sissoo, Jarool (Red and White) }	10	¼ths.
and Soondry, .. .. . }		
<b>TINCAL</b> , .. .. .	5	½
Ditto from Nepaul, .. .. .	2½	No drawback.
<b>TOBACCO</b> , Town duty, .. .. .	10	¼ths.
<b>TOOND FLOWER</b> , .. .. .	7½	2-3ds.
<b>TUGGAR</b> , .. .. .	Ditto	Ditto.
<b>TURMERIC</b> , Town duty, .. .. .	5	½
<b>UGGUR</b> , or Aloe Wood, .. .. .	7½	2-3ds.
<b>VERMILION</b> , .. .. .	10	¼ths.
<b>VERDIGRISE</b> , .. .. .	Ditto	Ditto.
<b>VIDRY WARE</b> , .. .. .	7½	2-3ds.
<b>WAX</b> , .. .. . }	10	¼ths.
<b>WAX CANDLES</b> , .. .. . }		
<b>WOOD</b> , used in Cabinet Work, .. .. .	7½	2-3ds.
<b>WOOLLENS</b> , .. .. .	5	½
Ditto Imported from Nepaul, .. .. .	2½	No drawback.
<b>YELLOW OCHRE</b> , or <b>GOPEE MATTEE</b> , ..	10	¼ths.

## A. D. 1817. REGULATION XXII.

**A REGULATION** for vesting the Judge and Magistrate of Cuttack with power to remove and to appoint the native ministerial Officers on his establishment, without a previous reference to the Provincial Court of Appeal and Circuit for the division of Calcutta.—PASSED by the Vice-President in Council on the 28th October 1817 ; corresponding with the 13th Kautic 1224 Bengal era ; the 3d Kautic 1225 Fushy ; the 14th Kautic 1225 Willaity ; the 3d Kautic 1874 Sumbut ; and the 16th Zulhej 1232 Higerae.

**C**ONSIDERATIONS connected with the recent disturbances in Cuttack, have rendered it expedient that the officer discharging the functions of judge and magistrate of Cuttack should, for the present, be vested with authority to remove the native ministerial officers attached to the judicial establishment of that district, and to appoint individuals to succeed to vacant offices on his establishment, without applying for the previous sanction or confirmation of the provincial court of appeal and circuit for the division of Calcutta ; the following rules have accordingly been passed, to take effect from the promulgation of this Regulation.

**II. First.** Such parts of the existing Regulations as require that the provincial court of appeal and circuit shall confirm the appointment, removal, and resignation of certain native ministerial officers, including the record keepers, moonsiffs and sudder ameens employed under the authority of the zillah and city judges and magistrates, shall not have effect in the zillah of Cuttack.

**Second.** The officer discharging the functions of judge and magistrate of Cuttack, is hereby vested with full authority to remove and appoint, or to accept the resignations of the officers above alluded to, without the previous sanction of the provincial court of appeal and circuit for the division of Calcutta,

**Preamble.**

Rules regarding the appointment, removal and resignation of native judicial officers by the court of circuit, not to have effect in Cuttack.

The judge and magistrate of Cuttack vested with full power to remove, appoint, or to accept the resignation of such officers, without the previous sanction of the provincial court.



## A. D. 1817. REGULATION XXIII.

**A REGULATION** for modifying certain parts of Regulations XIX and XXXVII, 1793, and for defining the right of government to the revenue of lands not included within the boundaries of estates for which a settlement has been made.—PASSED by the Vice-President in Council on the 23th October 1817; corresponding with the 13th Katick 1224 Bengalera; the 3d Katick 1225 Fusly; the 14th Katick 1225 Willaity; the 3d Katick 1874 Sumbut; and the 16th Zeheja 1232 Higeree.

**T**HERE is reason to believe that extensive tracts of land lying within that part of the country, which is ordinarily denominated the Sunderbuns, and which at the period of the formation of the permanent settlement were entirely waste, and not included within the limits of purgunnahs, mouzas, or other known divisions of estates for which a settlement was concluded, have been brought into cultivation, and are now occupied by individuals without payment of revenue; and it is likewise understood that extensive tracts of alluvion lands, formed since the period abovementioned, are held in the districts adjoining the Sunderbuns by individuals, without payment of revenue—but the inherent title of government to a certain proportion of the produce of every begah of land, in all cases in which it shall neither have transferred its right thereto for a term, or in perpetuity, nor have limited its demand by a distinct agreement, with the proprietor or possessor, has uniformly been avowed and acknowledged; and in pursuance of that principle, government are clearly entitled to assess all lands of the nature of those above described.—It may however be apprehended that individuals holding such lands, will avail themselves of the rules by which the claims of government to resume the revenue of lands held free of assessment, under illegal or invalid tenures, are declared cognizable only in the courts of judicature, to thwart the revenue authorities in the recovery of the just dues of government from the lands above described, and it is otherwise expedient that those rules should be amended and modified.—It is likewise desirable that the principle upon which the revenue authorities are to proceed in assessing such lands, should be distinctly explained, that individuals may be the better protected against any encroachment on the rights secured to them by the permanent settlement.—The following rules therefore have been enacted, to be in force from the date of their enactment within the districts of the 24-Purgunnahs, Nuddea, Jessore, Dacca Jelalpoore, and Backergunge.

preamble.

II. Sections XII, XIII, XIV, XVI, and XIX, Regulation XIX, and Sections VII, VIII, IX, XI, and XIV, Regulation XXXVII, 1793, in as far as they are applicable

Parts of Regulation XIX and XXXVII, so far as they are applicable to the 24-Purgunnahs,

plicable

## A. D. 1817. REGULATION XXIII.

Nuddea, Jessore, Dacca Jelalpoore and Backergunge, rescinded; and the provisions contained in Sections III, to IX, Regulation V, 1813, extended to those districts.

The latter provisions applicable to lands held at an inadequate jumma under mocrurry or other tenures, limiting the demand of government.

Lands not included within the limits of any purgunnah or estates at the decennial settlement, are liable to assessment in the same manner as other unsettled mehals.

The foregoing principle shall be applicable to all Churs and Islands formed since the decennial settlement, and generally to all lands gained by alluvion or alteration in the course of the rivers.

Likewise applicable to certain lands held under special pottahs from the collectors, and not brought under assessment at the permanent settlement.

Proviso.

The collector how to proceed when any lands may be liable to assessment on the principle above specified.

applicable to the districts of the 24-Purgunnahs, Nuddea, Jessore, Dacca Jelalpoore, and Backergunge, are hereby rescinded, and the provisions contained in Sections III, IV, V, VI, VII, VIII, and IX, Regulation V, 1813, are hereby extended to the abovementioned districts.

III. The provisions contained in Sections III, IV, V, VI, VII, VIII, and IX, Regulation V, 1813, are hereby declared applicable to all lands held at an inadequate jumma under mocrurry or other tenures, limiting the demand of government.

IV. *First.* It is hereby declared and enacted, that all lands which at the period of the decennial settlement were not included within the limits of any purgunnah, mouza, or other division of estates for which a settlement was concluded with the owners, not being lands for which a distinct settlement may have been made since the period above referred to, nor lands held free of assessment under a valid and legal title of the nature specified in Regulations XIX, and XXXVII, 1793, are, and shall be considered liable to assessment in the same manner as other unsettled mehals, and the revenue assessed on all such lands, whether exceeding 100 begahs or otherwise, shall belong to government.

*Second.* The foregoing principle shall be deemed applicable not only to tracts of land such as are described to have been brought into cultivation in the Sunderbuns, but to all Churs and Islands formed since the period of the decennial settlement, and generally to all lands gained by alluvion or dereliction since that period, whether from an introcession of the sea, an alteration in the course of rivers, or the gradual accession of soil on their banks.

*Third.* The same principle shall likewise be deemed applicable to all lands, which at the period of the permanent settlement were included within the limits of talooks held by individuals under special pottahs from the collector, such as the Puteet-abady, and Jungulboory talooks in the districts of the 24-Purgunnahs and Jessore, and which were not brought under assessment at the abovementioned period—provided however, that in respect to such lands, if in the possession of the original pottah holder, or his legal representative, the conditions of the pottah in regard to the assessment of the land included within the limits specified in that instrument, shall be strictly maintained.

V. *First.* Whenever the collector of any of the districts abovementioned, the commissioner in the Sunderbuns, or other officer exercising the powers of collector, shall have reason to believe that any lands lying within the sphere of his official controul, are liable to assessment on the principle above specified, he shall report the circumstance to the Board of Revenue, or other authority exercising the powers of that Board, who, should they be of opinion that proper grounds exist for an enquiry, shall direct the collector or other officer aforesaid, to call upon the holder of the lands, and by a written notice under his official seal and signature to adduce within

## A. D. 1817. REGULATION XXIII.

within the period of one month from the receipt of the notice, any documentary, or other evidence tending to establish the fact that the lands were at the period of the decennial settlement included within the limits of an estate for which a permanent settlement may have been concluded, or that a distinct settlement has been concluded for them since that period, or that they are held free of assessment by a valid grant of the nature specified in Regulations XIX, and XXXVII, 1793, and are not liable to assessment on the principle specified in the IVth Section of this Regulation.

*Second.* The collector or commissioner, as the case may be, shall at the same time institute a full and particular enquiry into the circumstances and condition of the land in question, at the period of the decennial settlement, and in the case of alluvion land into the period of its formation.

To institute particular enquiry regarding the lands.

**VI. First.** When the enquiry described in the foregoing section shall have been authorized, it shall be competent to the collector or commissioner aforesaid, with the sanction of the Board of Revenue previously obtained, to cause a survey or measurement to be made of all such lands, and of the estate to which such lands are alleged to belong.

To cause a survey or measurement to be made of such lands.

*Second.* It shall likewise in such cases be competent to the collector or commissioner to summon the putwarry, gomastah, or other person by whom the accounts relating to such lands, or to the estate to which the lands may be alleged to belong, are kept, and to require him to produce all accounts relating to such lands or estate, and to examine him on oath to the truth of such accounts, and on any other matter relating to such accounts, or regarding such lands or estate, in the manner specified in Section XXII, Regulation XII, 1817.

The collector declared competent to summon the putwarry, gomastah or other persons for the production of all accounts relating to such lands.

*Third.* It shall further be competent to the collector or commissioner in the cases above specified, with the sanction of the Board of Revenue, or other authority exercising the powers of that Board, to require the person claiming to be the proprietor or farmer of the lands proposed to be assessed, or of the estate to which they are alleged to belong, to attend either in person or by representative, and to produce all the accounts relating to such lands or estate within a reasonable time not being less than one week.

And to require the personal attendance of the proprietors or farmers of such lands for the production of the requisite accounts.

**VII. First.** Whenever the collector or commissioner shall require the attendance of any proprietor or farmer, or of any putwarry, gomastah or other officer, for the purpose stated in the above section, he is to serve such proprietor, or other person aforesaid, with a written notice under his official seal and signature, stating the purpose for which his attendance is required, the papers (if any) which he is to bring with him, and the period within which he is to attend.

Written notice to be served on the persons above mentioned for their attendance.

*Second.* Provided further that the rules contained in Section III, Regulation XIV, 1793, regarding the mode of serving process for the recovery of arrears of revenue, shall be held applicable to processes issued by a collector, or other officer exercising

Mode of serving process.

the



## A. D. 1817. REGULATION XXIII.

the powers of a collector, under the provisions contained in the two preceding sections, excepting always, so much of the said rules as prescribes that the peon serving the process shall be paid by the party in whose name it is issued.

If the lands shall appear liable to assessment, the collector to forward his proceedings to the Board of Revenue or other proper authority.

VIII. *First.* If it shall appear to the collector or commissioner on due consideration of the documents and other evidence which may be adduced by the holder of the land, regarding which the enquiry above described shall have been instituted, or which may be otherwise received and examined by himself, that the lands are liable to assessment on the principle specified in Section IV, of this Regulation, he shall forward the whole of his proceedings on the subject with his opinion thereon to the Board of Revenue, or other authority vested with the powers of that Board, who will decide after such further enquiry as they may deem requisite, whether the land shall be deemed liable to assessment or otherwise.

If on enquiry the lands may not appear to be liable to assessment, the collector or the commissioner how to proceed.

*Second.* If the collector after receiving the documents or evidence adduced, and holding the enquiry directed in Section V, of this Regulation, shall be of opinion that the lands are not liable to assessment, he shall nevertheless transmit the whole of his proceedings on the case, with his opinion thereon, to the Board of Revenue, or other authority exercising the powers of that Board, who will decide and issue the proper orders for the assessment of the lands, or for admitting the claim of the holder of the lands.

The collector shall carefully mark all documents produced by a zemindar or other person possessing lands of the nature above described.

IX. *First.* It shall be the duty of the collector or commissioner holding the enquiry described in Section V, carefully to number, mark, date and sign all documents produced by a zemindar or other person possessing lands of the nature above described, in support of his claim, to hold them free of assessment, or as parcel of an estate for which a permanent settlement shall have been concluded, and to insert in his proceedings the title and number of such documents, so that no doubt may exist in regard to their having been exhibited before them.

To state distinctly the grounds on which the revenue of such lands may be resumed.

*Second.* It shall likewise be the duty of the collector and the Board of Revenue, to state distinctly in each instance the grounds on which the revenue of any such lands may be resumed, in order that should the case come before the courts of judicature, the issue to be tried may be as plain and simple as possible.

The revenue on lands which may be resumed and assessed how to be regulated.

X. The revenue on lands resumed and assessed under the provisions of this Regulation, shall be regulated by the general rules contained in the Regulations for the settlement of lands paying revenue to government; and the revenue authorities shall follow generally in regard to them the same course as is ordinarily adopted in respect to unsettled mehals, excepting of course in cases in which the undisputed proprietary right to the lands may be vested in government.

Officers of government not competent to revive the question after it has been decided in the manner described in Section VIII, of this Regulation.

XI. It shall not be competent to government or its officers after the question shall have been decided in the manner stated in Section VIII, of this Regulation, to revive the question, or disturb the title of the occupant, except on proof in a court of judicature of fraud or collusion in the previous enquiry.

## **A. D. 1817. REGULATION XXIII.**

**XII. First.** Any person who may consider himself aggrieved by the decision which may be passed by the Board of Revenue or other authority exercising the powers of that Board, under the rules contained in Section VIII, of this Regulation, shall be at liberty to institute a suit in the courts of judicature against government, to try the merits of the said decision—provided that such suit be instituted within the period of six months from the date on which it may be passed.

Persons aggrieved at liberty to institute a suit against government within the period of 6 months.

**Second.** Such suits may be instituted, without previous reference to the Governor General in Council, against government, and shall be defended by the collectors, under the instructions of the Board of Revenue or other authority aforesaid. The courts of judicature, in cases in which they may be of opinion that the decision of the revenue authorities has been passed on erroneous grounds, will of course adjudge the plaintiff to be re-instated in possession of the lands in question on the same tenure as he possessed previously to that decision; at the same time awarding to him such costs as may be sufficient to reimburse him for the expense to which he may have been subject; and giving proper directions for the adjustment of the accounts of the collections made from the lands, during the time that they may have been in the charge of the officers of government.

A previous reference to the Governor General in Council not required in such suits.

The courts of justice how to proceed.

**Third.** But no court of justice shall issue any prohibition or injunction to stay process previously to the formal decision of the case by the revenue officers, nor any precept or other order to prevent the attachment of the land or ejectment of the holder thereof consequent to such decision, until a full and complete trial shall have been had of the merits of that decision by a regular suit instituted under the above section.

Courts of justice not to interfere or to stay process previously to the formal decision by the revenue authorities.

**XIII. First.** If any putwarry, gomastah or other person, by whom the accounts of lands are kept, and who may be summoned by a collector or commissioner under the provisions contained in Sections VI and VII, of this Regulation, shall neglect or omit to produce his original accounts on the requisition of the collector or commissioner, or to give his evidence regarding them, or shall intentionally and deliberately give a false deposition on oath before the collector or commissioner when summoned and examined as aforesaid, or shall alter, fabricate, falsify or mutilate the accounts relating to such lands, or to the estate to which such lands are stated to belong, shall be and be held liable to the pains and penalties specified in Sections XXIII, XXVI and XXVII, of Regulation XII, 1817, according as the provisions of one or other of those sections may be applicable to the offence committed by him.

Putwarries or other persons neglecting to produce the requisite accounts or give evidence regarding them liable to certain penalties.

**Second.** If the holder of any lands, in regard to which the collector shall have been authorized by the Board of Revenue or other authority exercising the powers of that Board, to institute the enquiry described by Section V, of this Regulation, shall refuse, or neglect to furnish the accounts relating to such lands within the period specified in the collector's requisition, the Board of Revenue shall be competent

If the holder of such lands shall refuse to furnish the accounts, their lands shall be liable to attachment.

## A. D. 1817. REGULATION XXIII.

to direct the lands to be immediately attached, and the rents collected on account of government, in the same manner as if the lands were the property of government.

The collector is nevertheless to make a full enquiry into the title of the holder of the lands.

*Third.* In such cases however it shall still be the duty of the collector to make a full enquiry into the title of the holder of the lands, and to transmit his proceedings to the Board, who will decide whether the lands shall be deemed permanently liable to assessment.

The courts of justice how to proceed when accounts may be exhibited by the holder of such lands, which accounts may not have been delivered to the collector.

*Fourth.* Provided further, that, if the holder of any lands assessed under the rules of this Regulation, shall institute a suit in court to contest the decision of the revenue authorities, and shall produce any accounts or documents besides such as he may have delivered to the collector, the accounts or documents so produced shall not be received by the court in evidence, nor shall they have any weight in the decision, any more than if they had never existed, unless he shall shew good cause, to the satisfaction of the court, for not having produced the said accounts, or documents, and shall prove that he assigned such cause in answer to the collector's requisition.

Proprietors or farmers omitting to attend or refusing to furnish the accounts required from them, liable to a daily fine.

*Fifth.* Provided also, that if any proprietor or farmer shall omit or refuse to attend, or to cause his officer or agent to attend, when duly summoned by the collector or commissioner by the time prescribed in the notice issued by the collector or commissioner, or shall omit or refuse to furnish the accounts or documents required, and to shew sufficient cause for such omission, the Board of Revenue, or other authority exercising the powers of that Board, are authorized, and empowered to impose upon him such daily fine, to be payable daily, until he complies with the collector's requisition as they may think adequate to his situation, and circumstances in life, reporting however the amount for the information of the Governor General in Council. The fine when confirmed by government, is to be levied by the same process as is prescribed for the recovery of arrears of revenue.

Zemindars or other persons resisting the attachment or measurement of their lands to pay a fine to government.

XIV. If any zemindar or other person shall resist or cause to be resisted the attachment or measurement of lands, which the Board of Revenue or other authority exercising the powers of that Board shall have authorized the collector or commissioner to attach or measure, under the provisions of this Regulation, or shall resist or cause to be resisted any process duly issued by the collector or commissioner, to compel a putwarry, gomastah, or other officer to produce his accounts, and to give his evidence respecting them under the provisions contained in Section XIII of this Regulation; it shall be competent to the Board of Revenue, or other authority exercising the powers of that Board, on being satisfied that he is guilty of the charge, to adjudge the zemindar, or other person so offending to pay such fine to government, as may appear to it proper, upon a consideration of his situation, and circumstances in life, and of the offence which he may have committed, and to levy the fine in the mode prescribed for the recovery of

### **A. D. 1817. REGULATION XXIII.**

of arrears of revenue; provided, however, that if the fine shall exceed 500 rupees, the Board shall submit a report of the case to the Governor General in Council, and shall not proceed to levy the fine, until they shall receive authority from government for that purpose.

Such fine when exceeding 500 rupees, shall be reported to the Governor General in Council for orders.

**XV:** Nothing in the present Regulation shall be considered to affect the right of the proprietors of estates, for which a permanent settlement has been concluded, to the full benefit of all waste lands included within the ascertained boundaries of such estates respectively, at the period of the decennial settlement, and which have since been or may hereafter be reduced to cultivation. The exclusive advantages resulting from the improvement of all such lands were guaranteed to the proprietors by the conditions of that settlement, and it being left to the courts of judicature to decide on all contested cases, whether lands assessed under the provisions of this Regulation were included at the period of the decennial settlement within the limits of estates for which a settlement has been concluded, in perpetuity, and to reverse the decision of the revenue authorities in any case in which it shall appear that lands which actually formed at the period in question a component part of such an estate, have been unjustly subjected to assessment under the provisions of this Regulation, the zemindars, and other proprietors of land will be enabled by an application to the courts to obtain immediate redress in any case in which the revenue authorities shall violate, or encroach on the rights secured to them by the permanent settlement.

The present Regulation not to affect waste lands included within the ascertained boundaries of estates for which a permanent settlement has been concluded.



## A. D. 1817. REGULATION XXIV.

**A REGULATION** for modifying the constitution of the Commission established in the provinces of Behar and Benares, and in the districts of Ramghur, Bhaughulpore and Purneah; for extending the authority of the said Commission to the districts of Dinagepore, and Rungpore; and for better defining the powers to be exercised in certain cases by a single member of the Board of Revenue, or Commission vested with the authority of that Board—**PASSED** by the Vice-President in Council on the 9th December 1817; corresponding with the 25th Aushun 1224 Bengal era; the 16th Aushun 1225 Fusly; the 26th Aushun 1225 Willaity; the 1st Aushun 1874 Sumbut, and the 29th Mohurram 1233 Higeree.

**WHEREAS** it has been deemed advisable to entrust the powers and authority vested by the existing Regulations in the Commissioner in Behar and Benares, to a Board consisting of two members; and it has also appeared expedient to extend the authority of that Board to the districts of Dinagepore and Rungpore; and whereas it is desirable to obviate all doubts in regard to the powers vested in a single member of the Board of Revenue, or of a Commission exercising the authority of that Board, the following rules have been enacted, to be in force from the 1st January 1818, throughout the territories immediately dependent on the presidency of Fort William.

**II.** The duties, powers, and authority exercised under the Regulations now in force by the Commissioner in Behar and Benares, within the said provinces, and in the districts of Ramghur, Bhaughulpore and Purneah, shall be vested in a Board consisting ordinarily of two members, to be denominated the Board of Commissioners in Behar and Benares: provided however, that it shall be competent to the Governor General in Council, to entrust the powers, and authority of the said Board, to a single Commissioner, whenever circumstances may render that measure advisable.

**III.** The general superintendence of the revenues of the districts of Dinagepore and Rungpore, shall be vested in the abovementioned Board, in the same manner, and with the same powers, and authority, as it is now exercised by the Board of Revenue.

**IV.** The rules contained in Regulation XIII, 1811, shall be considered applicable to the said Board of Commissioners, in like manner as they are and shall be considered applicable to the Board of Commissioners in the ceded and conquered provinces.

Preamble.

The powers and authority vested in the Commissioner in Behar and Benares, entrusted to a Board of Commissioners, consisting of two members.

Proviso for entrusting the said powers to a single Commissioner when deemed necessary.

*Res. 2 3 1817*

The superintendence of the revenues of Dinagepore and Rungpore vested in the Board of Commissioners in Behar and Benares.

Regulation XIII, 1811, to be applicable to the Board of Commissioners in Behar and Benares.

**A. D. 1817. REGULATION XXIV.**

On what occasions a single member of such Board shall be deemed competent to exercise all the powers of the Board.

**V.** It is hereby further declared, and enacted, that in the event of the death, resignation, or unavoidable absence of a member of the Board of Revenue, or of a member of any Commission exercising the powers of that Board; a single member of such Board or Commission shall be competent to exercise all the duties, powers and authority vested in such Board collectively, in like manner as in the case specified in Section IV, of the above-mentioned Regulation.

## A. D. 1817. REGULATION XXV.

**A REGULATION** for fixing the weight of the Pice struck at the Calcutta Mint, and for giving general circulation to Pice struck at any of the Mints subordinate to this Presidency.—PASSED by the Vice-President in Council on the 9th December 1817, corresponding with the 25th Aughun 1224 Bengalee era ; the 16th Aughun 1225 Fussy ; the 26th Aughun 1225 Willaity ; the 1st Aughun 1874 Sumbut, and the 29th Moherrem 1233 Higeree.

**WHEREAS** it has been deemed expedient to adopt some precise rules for the coinage and currency of the copper pice struck in the mint of Calcutta, and also for extending the circulation of those pice, as well as the pice struck at the mints of Benares and Furruckabad, the following rules are therefore enacted, to be in force from the date of their promulgation throughout the provinces immediately dependent on the presidency of Fort William.

Preamble.

**II.** The copper pice struck at the Calcutta mint, shall be of pure copper, and of the weight of 100 grains troy.

Specification of the weight of copper pice struck at the mint at Calcutta.

**III.** The inscription shall be on one side, One Pie Sicca, in the Bengalee, Persian and Nagree characters, and the date on the obverse.

Inscription and date.

**IV.** The pice shall be issued from the mint and public treasuries at the rate of sixty-four to one sicca rupee, at which rate they will be received again by the public officers in payment of the fractional parts of a rupee, and they shall also be legal tender in payments of the same nature, at the rate of sixty-four to a rupee of the local currency throughout the provinces subject to the presidency of Fort William.

Rate at which the pice shall be issued and received.

**V.** The pice struck at the mints of Benares and Furruckabad, agreeably to the provisions of Regulation X, 1809, Regulation VII, 1814, and Regulation XXI, 1816, shall also be considered as circulating equally with the pice of Calcutta coinage throughout the abovementioned provinces, and shall in like manner be received as a legal tender in payment of the fractional parts of a rupee of the local currency, at the rate of sixty-four pice for each rupee.

The pice struck at the mints of Benares and Furruckabad to circulate equally with the pice of Calcutta coinage, throughout the provinces.





## A. D. 1817. REGULATION XXVI.

**A REGULATION** for authorizing the circulation of *Furruckabad Rupees*, coined in either of the *Mints of Calcutta, Furruckabad, or Benares*, or at any other Mint, established by order of the Governor General in Council.—PASSED by the Vice President in Council on the 16th December 1817 ; corresponding with the 3d. *Poose 1224 Bengal era ; the 23d Aughun 1225 Fusly ; the 4th Poose 1225 Willaity ; the 8th Aughun 1874 Sumbut ; and the 6th Suffer 1233 Higeree.*

**WHEREAS** it may from time to time be found expedient to coin rupees of the weight and standard of the *Furruckabad rupee* at the mints of *Calcutta or Bonares*, it has been deemed advisable to rescind so much of *Section II of Regulation XLV, of 1803*, as tends to limit the coinage of *Furruckabad rupees* to the mint of *Furruckabad* ; and to direct the following enactment be henceforward in force.

**II.** The silver coin denominated the *Furruckabad rupee*, and of the weight and standard prescribed by *Section II, of Regulation III, 1806*, struck at the mints of *Calcutta, Furruckabad or Bonares*, or at any other mint, established by order of the Governor General in Council, is hereby declared to be the established and legal silver coin in the *Ceded and Conquered Provinces*.

Preamble.

*Furruckabad rupees coined in any of the mints, to be the established and legal silver coin in the Ceded and Conquered Provinces.*



## A. D. 1818. REGULATION I.

**A REGULATION** for establishing the office of Canoongoe in the districts of the 24-Pergunnahs, Nuddeu, Jessore, Dacca Jelalpore, and Backergunge, and for extending to the said districts the operation of Regulation XII, 1817.—PASSED by the Vice-President in Council on the 17th March 1818, corresponding with the 5th Cheyte 1221 Bengal era; the 24th Phagoon 1225 Fusly; the 6th Cheyte 1225 Willaity; the 10th Phagoon 1874 Sumbut, and the 9th Jumadee ul awul 1233 Higeree.

**WHEREAS** it has appeared expedient to establish the office of canoongoe in the districts of the 24-Pergunnahs, Nuddea, Jessore, Dacca Jelalpore, and Backergunge, and to extend to the said districts the operation of Regulation XII, 1817, the following rules have been enacted, to be in force from the date of their promulgation throughout the aforesaid districts.

II. Canoongoes shall be appointed in the districts of the 24-Pergunnahs, Nuddea, Jessore, Dacca Jelalpore, and Backergunge, by the collectors of those districts respectively, in the same manner, and for the performance of the same duties as are prescribed in Regulation V, 1816, in regard to the district of Cuttack, the Pergunnah of Puttaspoore and its dependencies; and all the rules contained in the Regulation aforesaid, are hereby extended to the districts abovementioned.

III. The provisions of Regulation XII, 1817, are hereby extended to the districts of the 24-Pergunnahs, Nuddeah, Jessore, Dacca Jelalpore and Backergunge.

Præsumble.

Canoongoes to be appointed in the 24-Pergunnahs, Nuddea, Jessore, Dacca Jelalpore and Backergunge.

The provisions of Regulation XII, 1817, extended to the abovementioned districts.



## A. D. 1818. REGULATION II.

**A REGULATION** for annexing to the zillah of Bundelcund the Elakeh of Khundeh, appertaining to the Pergunnah of Mahoba, together with certain villages belonging to the Pergunnah of Choorkee on the right bank of the Jumna, formerly composing a part of the Territories of Nana Govind Row:—PASSED by the Vice-President in Council on the 31st of March 1818; corresponding with the 19th Cheyte 1224 Bengal era; the 9th Cheyte 1225 Fusly; the 20th Cheyte 1225 Willaity; the 10th Cheyte 1875 Sumbut; and the 23d Jumadee-ul-awul 1233 Higeree.

**WHEREAS** the Elakeh of Khundeh, appertaining to the pergunnah of Mahoba, together with certain villages belonging to the pergunnah of Choorkee on the right bank of the Jumna, have been ceded to the Honorable the East India Company by Nana Govind Row; and whereas it has been judged advisable to annex the Elakeh and villages in question to the district of Bundelcund, the following rules have been enacted, to be in force from the period of their promulgation.

**II.** The Elakeh of Khundeh, appertaining to the pergunnah of Mahoba, together with certain villages belonging to the pergunnah of Choorkee, on the right bank of the Jumna, are hereby annexed to the district of Bundelcund, and the laws and Regulations established for the internal administration of that district, are declared to be in full force and effect in the Elakeh and villages in question,—subject however, to the provisions contained in the following sections.

**III. First.** The courts of civil judicature are hereby prohibited from commencing the exercise of their jurisdiction, until they shall be officially apprised by government, that the first settlement of the revenue of the said Elakeh and villages has been completed and duly sanctioned.

**Second.** The courts of civil judicature shall not be deemed competent to take cognizance of civil claims in the Elakeh and villages in question, the cause of action in which may have originated previously to the 1st of November 1805, being a period of twelve years antecedent to the cession of the Elakeh and villages in question.

**IV. First.** The courts of criminal judicature are hereby prohibited from taking cognizance of any crime or offence which may have been committed in any part of the said Elakeh and villages, previously to the 1st of November, 1817, being the date of the treaty between the British government and Nana Govind Row, under which the Elakeh of Khundeh and villages in question were ceded to the Honorable the East India Company.

**Second.** No part of the Regulations in force, by which the punishment of any offence may be enhanced beyond the punishment prescribed for such offence, accord-

*Preamble;*

*The Elakeh of Khundeh, and certain villages ceded by Nana Govind Row, annexed to Bundelcund, and the laws and regulations extended to them;*

*Subject to the following provisions.*

*Civil courts prohibited from commencing the exercise of their jurisdiction until the first settlement of the revenue shall have been sanctioned by government.*

*Civil courts not competent to take cognizance of suits, if the cause of action shall have originated previously to the 1st November, 1805.*

*Criminal courts prohibited from taking cognizance of offences committed previously to the 1st November, 1817.*

*Such of the Regulations in force as increase the punishment prescribed by the existing laws and*

*ing*

## A. D. 1818. REGULATION II.

Regulations of the Elakeh and villages in question, declared inapplicable to offences committed in them between the 1st of November 1817 and the promulgation of this Regulation.

Benefit extended to offenders in cases in which the penalties of the Regulations may appear to be more lenient than those which were in force under the former laws and usages.

Power reserved to the government for fixing the periods for the formation of the settlement of the land revenue.

The Regulations relative to the collection of sayer or other duties, or to the form of engagements executed between the zemindars, farmers, and ryots in the Elakeh of Khundeh when to take effect.

Duty of the revenue officers in ascertaining the rights and privileges of the several proprietors in the Elakeh of Khundeh.

ding to the existing laws and usages of the said Elakeh and villages, shall be considered applicable to any crime or offence committed within the said Elakeh and villages, between the 1st of November 1817, and the period of the promulgation of this Regulation.

*Third.* In cases however in which the penalties established by the existing Regulations may appear to be more lenient than those to which the offenders would have been subject, under the pre-existing laws and usages of the said Elakeh and villages, such offenders shall nevertheless have the benefit of the provisions now established, supposing the offences to have been committed between the 1st of November, 1817, and the period of the promulgation of this Regulation.

*V. First.* The government reserves to itself the power of fixing the periods, for which the settlement of the land revenue shall, from time to time, be formed in the said Elakeh and villages, according as local circumstances may appear to require, adhering however, as nearly as practicable, to the principles established for the settlement generally of the lands in the territories ordinarily denominated the ceded and conquered provinces.

*Second.* Provided also that such part of the Regulations in force within the district of Bundelcund, as relates to the collection of sayer, rahdaree, and other duties of a similar nature, or to the form of engagements to be executed by or between zemindars, farmers and ryots or other proprietors, occupants or cultivators of land, shall take effect within the said Elakeh of Khundeh and villages aforesaid from the commencement of the ensuing Fussy year.

*VI.* There being grounds to believe that many of the estates, composing the abovementioned tract of country, are held by numerous proprietors in joint tenancy, it shall be the particular duty of the revenue authorities administering the affairs of the said Elakeh and villages, to adopt such measures as may appear best calculated for ascertaining, recording and securing the customary rights, privileges and interests of the several classes of proprietors and occupants of land, and especially of all putteedars or other parceners in joint undivided estates.

## A. D. 1818. REGULATION III.

**A REGULATION for the confinement of State Prisoners :—**PASSED by the Vice-President in Council on the 7th April 1818, corresponding with the 26th Cheyte 1224 Bengal era ; the 16th Cheyte 1225 Fusly ; the 27th Cheyte 1225 Willaity ; the 2d Cheyte 1875 Sumbut ; and the 30th Jumadee-ul-awul 1233 Higeree.

**W**HEREAS reasons of state, embracing the due maintenance of the alliances formed by the British government with foreign Powers, the preservation of tranquillity in the territories of native Princes, entitled to its protection, and the security of the British dominions from foreign hostility, and from internal commotion, occasionally render it necessary to place under personal restraint, individuals against whom there may not be sufficient ground to institute any judicial proceeding, or when such proceeding may not be adapted to the nature of the case, or may for other reasons be unadvisable or improper ; and whereas it is fit that, in every case of the nature herein referred to, the determination to be taken, should proceed immediately from the authority of the Governor General in Council ; and whereas the ends of justice require that, when it may be determined that any person shall be placed under personal restraint, otherwise than in pursuance of some judicial proceeding, the grounds of such determination should from time to time come under revision, and the person affected thereby should at all times be allowed freely to bring to the notice of the Governor General in Council, all circumstances relating either to the supposed grounds of such determination, or to the manner in which it may be executed ; and whereas the ends of justice also require that, due attention be paid to the health of every state prisoner confined under this Regulation, and that suitable provision be made for his support according to his rank in life, and to his own wants and those of his family ; and whereas the reasons above declared sometimes render it necessary that the estates and lands of zemindars, talookdars and others situated within the territories dependent on the presidency of Fort William, should be attached and placed under the temporary management of the revenue authorities, without having recourse to any judicial proceedings ; and whereas it is desirable to make such legal provisions as may secure from injury, the just rights and interests of individuals, whose estates may be so attached under the direct authority of government ; the Vice-President in Council has enacted the following rules, which are to take effect throughout the provinces immediately subject to the presidency of Fort William from the date on which they may be promulgated.

II. *First.* When the reasons stated in the preamble of this Regulation may seem to the Governor General in Council to require, that an individual should be placed,

Preamble.

Mode of proceeding for placing individuals under restraint as state prisoners.



### A. D. 1818. REGULATION III.

placed under personal restraint, without any immediate view to ulterior proceedings of a judicial nature, a warrant of commitment under the authority of the Governor General in Council, and under the hand of the chief secretary, or of one of the secretaries to government, shall be issued to the officer in whose custody such person is to be placed.

Form of warrant to be issued.

*Second.* The warrant of commitment shall be in the following form :

To the (*here insert the officer's designation*)

Whereas the Governor General in Council, for good and sufficient reasons, has seen fit to determine that (*here insert the state prisoner's name*) shall be placed under personal restraint at (*here insert the name of the place*) you are hereby required and commanded, in pursuance of that determination, to receive the person above named into your custody, and to deal with him in conformity to the orders of the Governor General in Council, and the provisions of Regulation III, of 1818.

Fort William, the

By order of the Governor General in Council,

A. B.

*Chief Sec. to Govt.*

Such warrant to be sufficient authority for the detention of any state prisoner.

*Third.* The warrant of commitment shall be sufficient authority for the detention of any state prisoner in any fortress, jail or other place, within the territories subject to the presidency of Fort William.

Officers in whose custody, state prisoners may be placed, to submit to government periodical reports.

III. Every officer in whose custody any state prisoner may be placed, shall on the 1st of January and 1st of July of each year, submit a report to the Governor General in Council, through the secretary to government in the political department, on the conduct, the health and the comfort of such state prisoner, in order that the Governor General in Council may determine whether the orders for his detention shall continue in force or shall be modified.

State prisoners in the custody of the zillah or city magistrate, to be visited by the judge of circuit at the sessions.

IV. *First.* When any state prisoner is in the custody of a zillah or city magistrate, the judges of circuit are to visit such state prisoner, on the occasion of the periodical sessions, and they are to issue any orders concerning the treatment of the state prisoner, which may appear to them advisable, provided they be not inconsistent with the orders of the Governor General in Council, issued on that head.

State prisoners in custody of a public officer not being a zillah or city magistrate, to be visited by such person as may be nominated by government for the duty.

*Second.* When any state prisoner is placed in the custody of any public officer not being a zillah or city magistrate, the Governor General in Council will instruct either the zillah or city magistrate, or the judge of circuit, or any other public officer, not being the person in whose custody the prisoner may be placed, to visit such prisoner at stated periods, and to submit a report to government, regarding the health and treatment of such prisoner.

Representations which may be made by state prisoners, to be submitted to government.

V. The officer, in whose custody any state prisoner may be placed, is to forward, with such observations as may appear necessary, every representation which such state prisoner may from time to time be desirous of submitting to the Governor General in Council.

### A. D. 1818. REGULATION III.

VI. Every officer in whose custody any state prisoner may be placed, shall, as soon after taking such prisoner into his custody as may be practicable, report to the Governor General in Council, whether the degree of confinement to which he may be subjected, appears liable to injure his health, and whether the allowance fixed for his support, be adequate to the supply of his own wants and those of his family, according to their rank in life.

Early report to be made to government, regarding the nature of the confinement, the health and the allowances granted to state prisoners.

VII. Every officer in whose custody any state prisoner may be placed, shall take care that the allowance fixed for the support of such state prisoner, is duly appropriated to that object.

The allowance fixed for the support of a state prisoner, to be duly appropriated to that object.

VIII. The provisions contained in Sections III, IV, V, VI, and VII, of this Regulation, are hereby declared to be applicable to all persons who are now confined as state prisoners under the authority of government, within the territories subject to the presidency of Fort William.

The provisions contained in Section III to VII, of the present Regulation, applicable to all persons who are now confined as state prisoners.

IX. Whenever the Governor General in Council, for the reasons declared in the preamble to this Regulation, shall judge it necessary to attach the estates or lands of any zemindar, jaggedar, talookdar or other person, without any previous decision of a court of justice, or other judicial proceeding, the grounds on which the resolution of government may have been adopted, and such other information connected with the case as may appear essential, shall be communicated, under the hand of one of the secretaries to government, to the judge and magistrate of the district, in which the lands or estates may be situated, to the provincial court of appeal and circuit, and to the Sudder Dewanny Adawlut and Nizamut Adawlut.

Rules for the attachment of estates or lands by the orders of government without a previous decision of a court of justice.

X. *First.* The lands or estates which may be so temporarily attached, shall be held under the management of the officers of government in the revenue department, and the collections shall be made and adjusted on the same principles as those of other estates held under khas management.

Lands or estates so attached, to be placed under the management of the officers of government in the revenue department;

*Second.* Such lands or estates shall not be liable to be sold in execution of decrees of the civil courts, or for the realization of fines or otherwise, during the period in which they may be so held under attachment.

And not liable to be sold on account of decrees of the civil courts or otherwise, while under attachment.

*Third.* In the cases mentioned in the preceding clause, the government will make such arrangement as may be fair and equitable for the satisfaction of the decrees of the civil courts.

The government will make such arrangement as may be proper, for the satisfaction of the decrees of the civil courts in such instances.

XI. Whenever the Governor General in Council shall be of opinion that the circumstances which rendered the attachment of such estate necessary, have ceased to operate, and that the management of the estate can be committed to the hands of the proprietor without public hazard or inconvenience, the revenue authorities will be directed to release the estate from attachment, to adjust the accounts of the collections, during the period in which they may have been superintended by the officers of government, and to pay over to the proprietor the profits from the estate, which may have accumulated during the attachment.

Rules to be observed in cases where government may order the release of an estate from attachment.



## A. D. 1818. REGULATION IV.

A REGULATION for re-establishing the Dewanny Adawlut of the Northern Division of Seharunpore:—PASSED by the Vice-President in Council on the 14th April 1818, corresponding with the 3d Bysack 1225 Bengal era; the 23d Cheyte 1225 Fusly; the 4th Bysack 1225 Willaity; the 8th Cheyte 1875 Sumbut; and the 7th Jumadee-us-sanee 1233 Higeree.

**W**HEREAS the jurisdiction of the dewanny adawlut of the Northern division of Seharunpore was abolished by Regulation XIV, 1806, and was incorporated with the jurisdiction of the dewanny adawlut of the Southern division of Seharunpore; and whereas the annexation of the Deyra Doon to the Northern division, and the recent transfer of a portion of the district of Allyghur to the Southern division of Seharunpore, have augmented the local limits and the population of both those divisions, to an extent which interferes with the due administration of civil justice, and imposes on the inhabitants considerable hardships and difficulties; the Vice-President in Council, with a view to secure the due administration of civil justice, and to promote the convenience and prosperity of the inhabitants, has passed the following rules, to be in force from and after the 30th of June next ensuing, corresponding with the 17th Assaur 1225 Bengal era; the 12th Assaur 1225 Fusly; the 18th Assaur 1225 Willaity; the 12th Assaur 1875 Sumbut, and the 25th Shabaun 1233 Higeree.

**II. First.** From and after the 30th of June 1818, the Northern division of Seharunpore shall constitute a separate civil as well as criminal jurisdiction, and the judge and magistrate of that division shall exercise the same powers as those vested by the Regulations in the judges and magistrates of other zillahs in the ceded and conquered provinces.

The Northern division of Seharunpore, constituted a separate civil as well as criminal jurisdiction.

**Second.** The Northern division of Seharunpore shall henceforward be denominated the zillah of Seharunpore, and the Southern division shall be denominated the zillah of Meerut.

The Northern and Southern divisions of Seharunpore how to be denominated.

**Third.** It shall be competent to the Governor General in Council, by an order in Council, to determine the local limits of the zillah of Seharunpore, and to make such alterations in those limits as he may from time to time judge expedient.

Powers reserved to the Governor General in Council to determine the local limits of the zillah of Seharunpore.



## A. D. 1818. REGULATION V.

**A REGULATION** for the appointment of a Commissioner, to be vested with special powers in the administration of Civil affairs in Zillah Cuttack:—PASSED by the Vice-President in Council on the 28th April 1818; corresponding with the 17th Bysack 1225 Bengal era; the 8th Bysack 1225 Fusly; the 18th Bysack 1225 Willaity; the 8th Bysack 1875 Sumbut, and the 21st Jumadee-us-sanee 1233 Higeree.

**W**HEREAS considerations connected with the present state of the district of Cuttack, and with the nature of the disturbances which recently prevailed in various parts of that district, have rendered it expedient that a Commissioner should be deputed for the temporary superintendence of the civil affairs of the said district; and whereas it is necessary, with a view to the prompt and effectual execution of the important duties assigned to the Commissioner, that he should be vested with special powers as well in the administration of civil and criminal justice, as in the superintendence of other local duties hitherto conducted by the Boards of Revenue and Trade; the Vice-President in Council has been pleased to enact the following rules, to be in force within the local limits of the district of Cuttack, from the date on which the Commissioner may assume the charge of his office.

*Preamble.*

II. The provisions of the existing Regulations, by which the Board of Revenue, the Board of Trade, the provincial court of appeal and circuit for the division of Calcutta, and the local committee for superintending the embankments, are respectively authorized or directed to exercise any powers or functions, or to discharge any duties in the administration of the civil affairs of the district of Cuttack, are hereby suspended.

*The powers hitherto exercised in Cuttack by the Boards of Revenue and Trade, the provincial court of Calcutta, and the local committee for superintending the embankments, are hereby suspended.*

III. A Commissioner shall be deputed to the district of Cuttack, who shall be authorized, from the date on which he may assume the charge of his office, to exercise and discharge the whole of the powers and duties heretofore exercised and discharged with regard to the affairs of that district, under the Regulations in force by the Board of Revenue, by the Board of Trade, by the judges of the provincial court of appeal for the division of Calcutta, either individually or collectively, and by the judges of the court of circuit for the division of Calcutta, either individually or collectively, and by the local committee of embankments.

*A Commissioner to be deputed to Cuttack, with special powers.*

IV. The foregoing provisions shall not operate to prevent the judge of circuit, who is now holding the sessions of jail delivery of the zillah of Cuttack, from completing that duty under the Regulations heretofore in force; but from and after the completion

*The judge of circuit now holding the jail delivery at Cuttack, to complete the duties of the present sessions.*

## A. D. 1818. REGULATION V.

The Commissioner in Cuttack, to hold the future sessions of jail delivery of that district.

Civil suits depending in the provincial court of Calcutta to be transferred to the Commissioner.

Civil suits may be tried by the Commissioner, at any place within the limits of Cuttack.

The pleadings and management of suits before the Commissioner, are not required to be conducted by regular pleaders.

The Commissioner empowered to dispense with the rules contained in Sections III, IV, V, VI, and VII, Regulation XXVIII, 1814.

The Commissioner and the judge and magistrate empowered to dispense with the rule contained in Section XIX, Regulation XXVIII, 1814.

Orders and decisions passed by the Commissioner in civil suits, to be final.

Proviso with regard to cases appealable to the King in Council.

The powers of the court of Nizamut Adawlut with regard to the administration of criminal justice in Cuttack, to continue in force.

Regulation XXII, 1817, rescinded. The Commissioner to confirm the appointment and removal

Completion of the present sessions, the sessions of jail delivery of the zillah of Cuttack shall be held from time to time by the Commissioner, at such periods as he may judge most expedient for the public service.

**V. First.** The records of civil suits of every description, originating in the district of Cuttack, which may be depending before the provincial court for the division of Calcutta, whether in appeal from the decision of the zillah court of Cuttack, or instituted in the first instance in the provincial court, shall be transferred to the Commissioner; and such cases, as well as all other civil cases coming under his cognizance, shall be investigated and decided by him, at any place or places situated within the limits of the district of Cuttack, under the same powers as are vested in the judges of the provincial court, either individually or collectively.

**Second.** The pleadings and the management of suits which may be brought under the cognizance of the Commissioner in Cuttack, shall be conducted, either by the parties themselves, or by agents duly authorized by them for that purpose; and it shall not be requisite that any regular pleaders should be attached to the court of the Commissioner, or that any duties in the court of the Commissioner should be performed by such pleaders.

**Third.** The Commissioner in Cuttack, shall be empowered to dispense with the rules contained in Sections III, IV, V, VI, and VII, Regulation XXVIII, 1814, in all instances in which he may judge it expedient to permit persons to sue, either in his own court, or in the zillah court of Cuttack, as paupers, without requiring such persons to fulfil the conditions specified in those sections.

**Fourth.** The Commissioner in Cuttack, and the judge and magistrate of that district, shall also be respectively empowered to dispense with the rule contained in Section XIX, Regulation XXVIII, 1814, in all instances in which they may judge it expedient.

**Fifth.** The orders and decisions passed by the Commissioner, in original civil suits, or in appeals cognizable by him, whether regular or summary, shall be to all intents and purposes final and conclusive—Provided however, that an appeal shall lie to the Sudder Dewanny Adawlut, from the decisions of the Commissioner on civil suits, which from their amount or value may be appealable to the King in Council, under the provisions of the existing Regulations.

**VI.** Nothing contained in this Regulation, shall be construed to affect or alter the powers vested in the court of Nizamut Adawlut, with regard to the administration of criminal justice in the district of Cuttack; and the Commissioner in Cuttack will stand in the same relation to the court of Nizamut Adawlut, as the judges of the provincial court of circuit for the division of Calcutta have hitherto stood, either in their individual or in their collective capacity.

**VII.** The provisions of Regulation XXII, 1817, are hereby rescinded, and the Commissioner in Cuttack shall exercise the same powers in confirming the appointment

**A. D. 1818. REGULATION V.**

ment and removal of the native officers of the judge and magistrate of Cuttack, as are exercised by the provincial courts of appeal and circuit, with regard to the appointment and removal of the native officers on the establishment of the zillah judges and magistrates generally.

of native officers on the establishment of the judge and magistrate of Cuttack.

VIII. The judge and register of zillah Cuttack are hereby empowered to hold their court for the investigation of summary suits regarding rent or dispossession from lands, in any part of the district of Cuttack; and it shall be competent to the Commissioner, with the sanction of the Governor General in Council, to employ the registers or the assistants to the judge and magistrate of Cuttack, on local duties in the territorial department, when such employment shall appear calculated to promote the public service.

The judge and register may investigate summary suits regarding rent or dispossession from lands in any part of Cuttack.

The registers and assistants to the judge and magistrate may be employed on local duties in the territorial department.





## A. D. 1818. REGULATION VI.

**A REGULATION** for providing against the protracted confinement of persons charged with criminal offences, during the examination of such charges before the Magistrates; and for defining the powers of the Courts of Circuit at the sudder stations of those Courts, with respect to persons committed or held to bail by the Magistrates for trial at the periodical sessions of jail delivery :—PASSED by the Vice-President in Council on the 12th May 1818; corresponding with the 31st Bysack 1225 Bcngal era; the 22d Bysack 1225 Fusly; the 1st Jeyte 1225 Willaity; the 7th Bysack 1875 Šumbut, and the 6th Rujub 1233 Higerce.

**WHEREAS** it appears just and expedient to guard against unnecessary delay in bringing to trial, before the courts of circuit, persons confined by the magistrates during the investigation of charges ultimately cognizable by those courts; and whereas it is unnecessary and objectionable that the judges of the courts of circuit at the sudder stations of their respective divisions, should interpose their authority in the regular course of trial, when a person charged with a criminal offence may have been committed or held to bail by a magistrate, to stand his trial at the ensuing session of jail delivery; except for the purpose of admitting to bail persons in close confinement, who may tender sufficient bail for their appearance to stand their trial; the following rules and provisions have been enacted by the Vice-President in Council, and shall be considered in force from the time of their promulgation throughout all the provinces immediately subject to the presidency of Fort William.

**II. First** In addition to the calendars which the magistrates are now required to lay before the judges of circuit at the periodical jail deliveries, they shall submit to the judges of circuit, at the commencement of each jail delivery, a calendar of persons in confinement on criminal charges, still under examination; containing the following particulars: viz. the name of each prisoner; the date of his apprehension; the charge against him; by whom preferred; and what proceedings have been held in the case; with an explanation of the cause of delay in passing a final order, if the prisoner have been more than a month in confinement. The judge of circuit, on inspection of this calendar, will call for the magistrate's proceedings in any case that may appear to require it; and if on perusal of them, he shall be of opinion that there is not sufficient reason for postponing the trial, he is empowered to instruct the magistrate to close his proceedings; and either to pass a final order, if the case be determinable by the magistrate; or to bring it before the court of circuit in a supplementary calendar, if there appear to be sufficient grounds for committing the prisoner to stand his trial before that court.

**Preamble.**

An additional calendar of persons in confinement under examination on criminal charges, to be submitted to the judges of circuit at the commencement of each jail delivery.

The judges of circuit how to proceed after an inspection of the calendar.

**Second.**

## A. D. 1818 REGULATION VI

The judges of circuit to give due attention to the reasons assigned by the magistrate, for not passing a final order in the cases of such prisoners.

*Second.* In exercising the power vested in the judges of circuit by the above clause, for the purpose of preventing the long confinement of prisoners charged with criminal offences during the magistrate's investigation of such charges, without strong and sufficient cause for their detention, the judges of circuit are required to give due attention to the reasons assigned by the magistrates, for not passing a final order respecting the prisoner, or prisoners in each instance, and to be careful that their instructions to the magistrates, in such cases, are consistent with the objects of public justice, as well as with a just and humane consideration of the prisoner's actual condition, and the period of his confinement.

Limitation of the powers vested in the judges of circuit at the sudder stations under Section XXIII, Regulation IX, 1807.

*III. First.* The general powers vested in two or more judges of a court of circuit at the sudder station, by Section XXIII, Regulation IX, 1807, whereby they are authorized, on all occasions when it may appear necessary, upon petitions presented to them, to call for the proceedings of a magistrate, and to pass such orders thereupon as they may deem proper and consistent with the Regulations, are hereby declared subject to the following limitation.

The judges of the court of circuit at the sudder station, not competent to annul commitments made by the magistrate.

*Second.* When a person charged with a criminal offence may have been committed, or held to bail, by a zillah or city magistrate, or by any public officer authorized to officiate as a magistrate, to stand his trial before a court of circuit at the ensuing session of jail delivery, it shall not be competent to the judges of the court of circuit, at the sudder station of the division, to annul the magistrate's order, and to prevent the regular trial of the person so committed or held to bail.

But may instruct the magistrate to admit to bail any persons whose cases appear to be of a bailable nature, or otherwise for special reasons.

*Third.* In such cases, however, two or more judges of the court of circuit at the sudder station, may, of course, exercise the power declared to be vested in those courts by the second clause of Section IX, Regulation IX, 1807, viz. by instructing the magistrate to admit to bail any persons whom he may have committed to close confinement, until they can be brought to trial at the next session of jail delivery, if the offence charged shall appear to be of a bailable nature, or though not within the description of offences declared bailable by the Regulations, if the court of circuit shall be of opinion that there is special reason for admitting the prisoner to bail, and sufficient bail be tendered by him, for his appearance to stand his trial at the next session of jail delivery.

And may comply in the first instance with applications from parties held to bail, to plead upon the trial by a vakeel instead of attending in person.

*Fourth.* Two or more judges of the court of circuit at the sudder station, are further hereby empowered to comply in the first instance with applications made to them, by parties held to bail for trial at the sessions of jail delivery, to be allowed to attend and plead upon the trial by a vakeel duly constituted, instead of attending, in person, when strong and sufficient reason may be stated for dispensing with the personal attendance of the party in such cases: Provided that the judge of circuit before whom the trial may be subsequently held, shall exercise a full discretion, notwithstanding any previous orders of the court of circuit in requiring the personal attendance of the defendant

Previous,

#### A. D. 1818. REGULATION VI.

Defendant, whenever, on consultation with his law officer, it may appear requisite, under the provisions of the Mahomedan law, or generally for the ends of justice.

1V. *First.* Whenever a person held to bail for his appearance before a court of circuit, shall neglect to attend at the appointed time, the magistrate shall call upon his surety, or sureties, to produce him, and on their failure, shall report the case with any reasons assigned by the surety or sureties, for the non-fulfilment of their engagement to the judge of circuit holding the session of jail delivery, who will determine, and instruct the magistrate, whether the penalty of the security bond shall be immediately enforced ; or whether a further time shall be allowed to the surety or sureties, to produce the person for whom they are responsible.

Magistrates how to proceed when persons held to bail may not attend before the court of circuit.

*Second.* When the judge of circuit, on consideration of the magistrate's report, shall direct the enforcement of the security bond, the magistrate shall proceed to recover the amount of the penalty from the surety or sureties, by the attachment and sale of any property belonging to them, in the mode prescribed for the attachment and sale of property, in satisfaction of decrees of the civil courts ; or if the amount demandable from the surety or sureties, be not paid, and cannot be realized from any property belonging to them, they shall be liable to confinement, by order of the magistrate, in the civil jail of the station, during a period not exceeding six months.

Rules for the recovery of the amount of the penalty from the surety or sureties.



## A. D. 1818. REGULATION VII.

**A REGULATION** for rescinding such parts of the existing Regulations as relate to the conduct of the trade of foreign nations to the ports and settlements of the British nation in the East Indies, and for better giving effect to a Regulation in that behalf, enacted by the Honorable the Court of Directors of the United Company of Merchants of England trading to the East Indies:—**PASSED** by the Governor General in Council on the 28th August 1818, corresponding with the 13th Bhadoon 1225 Bengal era; the 12th Bhadoon 1225 Fusly; the 14th Bhadoon 1225 Willaity; the 12th Bhadoon 1875 Sumbut; and the 25th Sowaul 1233 Higeree.

**WHEREAS** the Honorable the Court of Directors of the United Company of Merchants of England trading to the East Indies, have been pleased to pass the Regulation hereinafter recited for the conduct of the trade of foreign nations, to the ports and settlements of the British nation in the East Indies—the following rules have been framed into a Regulation, to be in force from the date of their promulgation.

II. Sections II and III, Regulation III, 1811, Regulation VI, 1812, and Regulation XX, 1816, are hereby rescinded, and the several provisions of the following Regulation, passed by the Honorable the Court of Directors of the United Company of Merchants of England trading to the East Indies, shall be hereafter observed within the territories immediately dependent on the presidency of Fort William.

“ Regulation for carrying on the trade between the British possessions in India, and the countries and states, in amity with his Majesty; passed by the Court of Directors of the United Company of Merchants of England trading to the East Indies, this 31st day of December, 1817.”

“ Whereas by an Act passed in the 37th year of the reign of his present Majesty, entitled, ‘ *An Act for regulating the trade to be carried on with the British possessions in India, by the Ships of nations in amity with his Majesty*’, it was enacted, that from and after the passing of that Act, and during the continuance of the exclusive trade of the United Company of Merchants of England trading to the East Indies, and during the term for which the possessions of the British territories in India is secured to the said United Company, it should be lawful for the ships and vessels of countries and states, in amity with his Majesty, to import into, and export from the British possessions in India, such goods and commodities, as they should be permitted to import into, and export from the said possessions,

Preamble.

Certain provisions of former Regulations relative to the conduct of the trade of foreign nations, to the ports and settlements of the British nation in the East Indies, rescinded; and the following Regulation enacted in lieu of them.

Title.

Preamble.

## A. D. 1818. REGULATION VII.

" sions, by the Directors of the said Company, who were thereby directed to frame  
 " such Regulations for carrying on the trade, to and from the said possessions, and  
 " the countries and states in amity with his Majesty, as should seem to them most  
 " conducive to the interest and prosperity of the said British possessions in India,  
 " and of the British empire, and that no ship or vessel belonging to any of the sub-  
 " jects of states or countries in amity with his Majesty, should be liable to seizure,  
 " confiscation, or forfeiture, or other penalty for exporting from or importing into  
 " the said British possessions in India, any goods or commodities, the importation or  
 " exportation of which should respectively be permitted by the said Regulation,—  
 " any thing in a certain Act of the twelfth year of the reign of King Charles the  
 " Second, therein recited to the contrary notwithstanding—provided always that  
 " it should not be lawful for the Directors of the said United Company to frame  
 " any Regulations for the conduct of the said trade, which should be inconsistent  
 " with any treaty or treaties which should have been or might be entered into by  
 " his Majesty, his heirs and successors, and any country or state at amity with  
 " his Majesty, or which might be inconsistent with any Act or Acts of Parliament  
 " which had been passed for the Regulation of the trade and commerce of the  
 " said British territories in India: and whereas by another Act passed in the 53d  
 " year of the reign of his present Majesty, entitled, "*An Act for continuing in the*  
 " *East India Company for a further term, the possession of the British territories in India,*  
 " *together with certain exclusive privileges for establishing further Regulations for the go-*  
 " *vernment of the said territories and the better administration of justice within the*  
 " *same;—and for regulating the trade to and from the places within the limits of the*  
 " *said Company's Charter,*" all the enactments, provisions, matters and things contain-  
 " ed in any Act or Acts whatsoever, which were limited or might be construed to be  
 " limited, to continue for and during the term granted to the said Company, by a  
 " certain Act of Parliament of Great Britain of the 33d year of his present Majes-  
 " ty, therein recited, so far as the same or any of them were in force and not repeal-  
 " ed by or repugnant to, the said Act of the 53d year of his said present Majesty,  
 " should continue and be in force during the further term thereby granted to the said  
 " Company, subject to such alterations therein as might be made by any of the enact-  
 " ments, provisions, matters and things in that Act contained."

" The Court of Directors of the United Company of Merchants of England tra-  
 " ding to the East Indies, in virtue of the powers granted to them by the aforesaid  
 " Acts, have framed the following Regulation, for carrying on the trade to and from  
 " the British possessions in India, and the countries and states in amity with his Ma-  
 " jesty."

1st. " Foreign European ships belonging to any nation having a settlement of  
 " its own in the East Indies, and being in amity with his Majesty, may freely enter  
 " the British sea-ports and harbours in that country, whether they come directly  
 " from

Ships belonging to a fo-  
 reign European nation  
 having a settlement of  
 its own in the East In-

## A. D. 1818. REGULATION VII.

“ from their own country or from any of the ports and places in the East Indies, they  
 “ shall be hospitably received and shall have liberty to trade there in imports and  
 “ exports, conformably to the Regulations established in such places, provided that  
 “ it shall not be lawful for the said ships in time of war between the British govern-  
 “ ment and any state or power whatever, to export from the said British territories,  
 “ without the special permission of the British government, any military stores or  
 “ naval stores, salt-petre or grain. The said ships may also be cleared out for any  
 “ port or place in the East Indies; but if cleared out for Europe, shall be cleared out  
 “ direct for the country in Europe, to which such ships respectively belong.”

**II. First.** “ Foreign European ships belonging to countries having no establish-  
 “ ment in the East Indies, may (when those countries and states respectively are in  
 “ amity with his Majesty) freely enter the ports of the principal British settlements  
 “ in the East Indies : viz. Calcutta, Madras, Bombay, and Prince of Wales’ Island on-  
 “ ly. They shall be hospitably received there and have free liberty to trade in im-  
 “ ports and exports conformably to the Regulations of the place, provided that it  
 “ shall not be lawful for the said ships in time of war between the British government  
 “ and any state or power whatever, to export from the said British territories, without  
 “ the special permission of the British government, any military stores or naval stores,  
 “ salt-petre or grain, and provided also, that the said ships proceed from their own  
 “ ports direct to the said principal British settlements, without touching at any port  
 “ or place whatever in the voyage out, except from necessity and merely to procure  
 “ refreshments or repairs, in case of distress or accidents, in the course of such voy-  
 “ age, the burthen of the proof of which necessity to rest on the parties.”

**Second.** “ The vessels of the said European powers last aforesaid, shall not carry  
 “ any of the articles exported by them from the said British territories to any port or  
 “ place, except to some port or place in their own countries respectively, where the  
 “ same shall be unladen. The said ships shall not be cleared out to carry on the coast-  
 “ ing or country trade in India; but vessels going with their original cargoes or  
 “ part thereof, from one principal British port of discharge, to another principal Bri-  
 “ tish port, are not to be considered as carrying on the coasting trade.”

**Third.** “ The said vessels shall not be allowed to proceed either with or without  
 “ return cargo, from the said British territories to the settlements or factories of any  
 “ foreign European nation in India, or to the territory of any Asiatic potentate or  
 “ power, except from the like necessity, as is before described, of which the proof  
 “ shall rest with them. Nor shall the said vessels be allowed to enter the river in that  
 “ part of the British territory situated in Bengal, for any other purpose than that of  
 “ proceeding to the port of Calcutta for trade, refreshment, or repairs.”

**Fourth.** “ In clearing out for their respective countries, the clearance shall be a  
 “ direct one to the country to which the vessels belong, and to no other whatever.”

dies, and being in amity with his Majesty, may enter freely and trade in imports and exports in the East India.

Provide with regard to certain articles of export in time of war.

Rules with regard to ships belonging to foreign European nations, having no establishment in India.

Provide .

Such ships not to export any articles, from the British territories to any other port or place, but to their own country.

Nor to be cleared out to carry on the coasting or country trade.

Nor to proceed from the British territories to any foreign settlements in India, nor to the territory of any Asiatic power.

Nor to enter the river in that part of the British territory situated in Bengal, for any other purpose than to proceed to Calcutta, for trade, refreshment or repairs.

The clearance of the vessels to be direct to the country to which they belong, and to no other.



## **A. D. 1818. REGULATION VII.**

The trade with America  
how to be regulated.

**III. "The trade between the British possessions in India and the United States of America, shall be regulated by the convention of commerce between great Britain and the United States of America, signed at London, the 3d July, 1815."**

The present rules not to  
affect the existing Regu-  
lations for defining the  
duties on foreign trade.

**III. Nothing in this Regulation shall be construed to affect the provisions contained in the existing Regulations for defining the duties to which the trade of foreign nations is, and shall be subject at the ports and settlements of the British nation in the East Indies.**

## A. D. 1818. REGULATION VIII.

A REGULATION for rescinding part of Clause 6, Section II, Regulation LIII, 1803; for modifying some of the existing rules relating to the requisition of security for good behaviour; and for providing for a revision of the cases of certain classes of Prisoners, detained in confinement, on failure to furnish security for their good behaviour and appearance:—PASSED by the Governor General in Council on the 28th of August 1818; corresponding with the 13th Bhadoon 1225 Bengal era; the 12th Bhadoon 1225 Fusly; the 14th Bhadoon 1225 Willaity; the 12th Bhadoon 1875 Sunbut; and the 25th Sowaul 1233 Higeree.

**W**HEREAS it has been deemed expedient to rescind part of the 6th Clause of Section II, Regulation LIII, 1803, to define, more exactly, the powers to be exercised in future, by the magistrates and criminal courts, in requiring security for the good behaviour of persons of suspicious livelihood, or of notoriously bad or dangerous character, and to provide for a revision of the cases of certain classes of prisoners, detained in confinement under requisition of security, for their future good behaviour, the following rules have been passed, to take effect from the date of their promulgation, throughout the provinces subject to the presidency of Fort William.

Preamble.

**I.** First. Such part of Clause Sixth, Section II, Regulation LIII, 1803, as vests the courts of circuit with authority to require security for good behaviour from persons charged with, but not convicted of, a specific offence, on the grounds of strong suspicion of their having committed such offence, independently of any proof of notorious bad character, is hereby rescinded; and the criminal courts are prohibited from requiring security for good behaviour from such persons, in future.

Part of Clause Sixth, Section II, Regulation LIII, 1803, rescinded.

**Second.** The foregoing rule shall not be construed to prevent the judges of the courts of circuit, or of the Nizamut Adawlut, from requiring security from prisoners, who may be acquitted, on the trial before those courts, of the specific charge brought against them, provided such prisoners may, from the evidence on the proceedings appear to be of notoriously bad or dangerous character. In cases of this description, the judges of the courts of circuit or of the Nizamut Adawlut will issue such orders as they may judge necessary, under the rules contained in Sections IX and X, of this Regulation.

The courts of circuit and the Nizamut Adawlut authorized to require security from prisoners tried by them, if proved to be of notoriously bad or dangerous character.

**III.** In every instance in which security for good behaviour may be hereafter required, whether by the magistrates, the courts of circuit, or the Nizamut Adawlut, the amount of the security; the number of sureties (to be fixed at the discre-

Nature of the order to be passed by the criminal courts on requiring security for good behaviour, from persons of

tion

**A. D. 1818. REGULATION VIII.**

notoriously bad character.

tion of the magistrate or of the court requiring the security,) and the period of time for which the sureties are to be responsible for the good conduct of the prisoner, shall be fixed and determined.

Period of time for the eventual detention of such prisoners, to be fixed.

IV. The period of time during which such prisoners may be made liable to detention in custody, on failure to furnish the security required from them, shall hereafter be specifically fixed in every instance, except in those cases in which the prisoner may appear to be a notorious robber, of a character so dangerous as to render his release, without security, evidently unsafe and objectionable.

Exception.

Magistrates empowered to release such prisoners, although the security be not furnished, if the order of detention shall have been passed by persons exercising the functions of magistrate.

V. *First.* The magistrates are hereby empowered, at all times, to exercise their discretion in releasing, without reference to any other authority, prisoners confined under requisition of security for their good behaviour, whether by their own orders or by those of any other person discharging the functions of a magistrate; provided the magistrates shall, from whatever cause, be of opinion, that such prisoners can be released without hazard to the community.

But not to exercise that authority if the order shall have been passed by the court of circuit or by the Nizamut Adawlut.

*Second.* In cases in which a magistrate may, for whatever reason, be of opinion that any prisoner confined under requisition of security for good behaviour by order of a court of circuit or of the Nizamut Adawlut, can be safely released without such security, the magistrate shall either bring the case before the court of circuit at the next ensuing jail delivery, as prescribed in Section XI, Regulation LIII, 1803, or shall make an immediate report of the case, with his sentiments, for the orders of the court, which may have required the prisoner to furnish security previously to his release.

Limitation with regard to the removal of prisoners, confined for security, from one district to another.

VI. *First.* No prisoner detained under requisition of security in the zillah or city, in which he has been accustomed to reside, or in which he may have been apprehended, shall be removed to the jail or a different zillah, unless the Nizamut Adawlut shall sanction the removal in compliance with the prisoner's own request, and with a view to enable him the more easily to furnish the security required.

Exceptions to the foregoing rule.

*Second.* The foregoing rule, however, shall not be construed to preclude the removal of such prisoners from one station to another, in cases in which a due regard to the health of the prisoners or to their safe custody, or other emergent circumstances, may, in the judgment of the Nizamut Adawlut, render that measure necessary or advisable.

On what conditions sureties may be discharged from their responsibility.

VII. It is hereby declared, that individuals who may become sureties for the good behaviour of prisoners, may, at all times, obtain a discharge from their future responsibility, by delivering up or causing to be delivered up, the persons for whom they may have become responsible, to the proper magistrate or police officer, and that they will not be made responsible for the amount of the security-bond, in cases in which they may give timely information to the magistrate, that the individuals for whom they may have become sureties, have taken to bad courses, and may use every exertion in their power, to the satisfaction of the magistrate, for the apprehension and surrender of such individuals.

## A. D. 1818. REGULATION VIII.

**VIII. First.** Whenever the magistrates, under the authority vested in them, by the existing Regulations, may require security for the good behaviour of a prisoner, they shall (in all cases in which they may judge it safe to do so) provide in their order, for the release of the prisoner, at the end of a definite period, not exceeding twelve months.

The period of detention for security, in ordinary cases, decided by the magistrate, not to exceed one year.

**Second.** It shall not be necessary for the judge of circuit, holding the sessions, to revise the proceedings of the magistrate in such cases, except on petitions presented by the prisoners, when the judge of circuit holding the sessions is directed and empowered to call for the proceedings and, on his own authority, to annul, modify, or confirm the orders of the magistrate.

The judge of circuit holding the sessions, may examine the proceedings of the magistrate, in such cases, on petitions presented to him by the prisoners; And may annul, modify or confirm the orders of the magistrate.

**IX. First.** In all other cases, in which the magistrate may be of opinion, from the evidence to general character adduced before him, that the prisoner is, by habit, a robber, burglar, or thief, or a vender or receiver of stolen property, knowing the same to have been stolen; of a character so desperate, dangerous or irreclaimable as to render his release, without security, at the expiration of the limited period of twelve months above specified, hazardous to the community, the magistrate shall record his opinion to that effect, with an order, specifying the amount of security which should, in his judgment, be required from the prisoner, as well as the number of sureties, and the period for which the sureties should be responsible for the prisoner's good behaviour.

Magistrates how to proceed in cases in which it may appear unsafe to release, without security, prisoners of highly dangerous character, at the expiration of the period above limited.

**Second.** If the prisoner shall not furnish the security so required, before the next sessions of the court of circuit, the whole of the proceedings shall be laid before the judge of that court, who after examining them and requiring any further evidence which he may judge necessary, shall be competent from his own authority, to pass orders on the case, either confirming, modifying, or annulling the orders of the magistrate, as he may judge proper and equitable.

If due security be not furnished by the prisoner, before the next sessions, the proceedings in the case to be laid before the judge of circuit.

*See C. O. 141.*

**Third.** In all such cases, if the judge of circuit shall not think it safe to direct the immediate discharge of the prisoner, he shall fix a limited period for the provisional detention of the prisoner (in the event of his not giving the security required from him,) which period shall never exceed three years, except in the cases specified in the following section.

Orders to be passed by the court of circuit, if it shall not appear safe to direct the immediate discharge of such prisoner.

**X. First.** In cases in which the judge of circuit shall, from the proceedings before him, consider the prisoner to be a notorious gang-robber, (duktyt) of dangerous character, whom it would be unsafe to set at liberty, without substantial security for his future good behaviour, and who, therefore, in default of giving such security, should be confined indefinitely, in pursuance of Section IX, Regulation VIII, 1808, he shall declare and order the same accordingly.

Orders to be passed by the court of circuit, if the prisoner shall appear to be a notorious gang robber.

**Second.** In these cases, however, the judge of circuit shall nevertheless fix the amount of the security to be required from the prisoner, and shall provide in his order,

Further provisions for such cases.

## A. D. 1818. REGULATION VIII.

der, that, if the prisoner shall not be able to furnish the security required, within ~~the~~ period of three years from the date of such order, the prisoner in question shall be again brought up before the judge of circuit, who may hold the sessions of jail delivery immediately following the expiration of the period of three years above specified, whose duty it will be, after examining the proceedings and making any further inquiries he may judge necessary, to determine whether the prisoner shall then be released, or whether he shall be again remanded, either on the same terms as before, or on any modified terms, favourable to the prisoner.

Rules to encourage respectable individuals to become sureties for such prisoners.

*Third.* With a view to encourage respectable individuals to become sureties for prisoners of the description alluded to in the foregoing clauses of this section, the period for which the sureties are to be responsible for the good behaviour of the individuals, shall be, in all cases, limited to three years, subject however to the condition that the sureties, at the expiration of that period, shall be bound to deliver up the individuals to the magistrate.

Rules to encourage respectable individuals to become sureties for such prisoners.

*Fourth.* When individuals shall be surrendered by their sureties, under the foregoing rule, the magistrate shall ascertain whether the former surety is willing again to become responsible for the future good behaviour of the prisoner, for a further period not exceeding three years, and, in the event of the surety being willing to become again responsible for the conduct of the prisoner, the magistrate shall accept the security and release the prisoner on the same terms as before.

Ditto ditto.

*Fifth.* If the former surety shall decline to become again responsible for the prisoner, and the prisoner shall be unable to furnish any other sufficient security, the magistrate shall detain him in custody until the ensuing sessions, when the prisoner is again to be brought before the judge of circuit, for such further orders as he may consider it proper to pass in the case.

A revision of the cases of prisoners now detained in confinement, for security, to be undertaken.

**XI.** *First.* Although the cautious and discreet application of the powers vested in the judicial officers, under the foregoing provisions, will tend, in future, to reconcile effectually, the safety of the community, with a due regard to the rights of individuals, those rules will not operate to relieve the prisoners, now in confinement, under a requisition of security, unless a general revision of their cases be undertaken with reference to the same principles, and the following rules are accordingly enacted to provide for such revision.

The Governor General in Council authorized to appoint individuals, for the special duty of making such revision.

*Second.* It shall be competent to the Governor General in Council to nominate and appoint such individuals, (being officers of experience in the judicial department,) as he may, from time to time, judge proper, to select, for the special duty of revising the cases of prisoners in confinement, under requisition of security.

Such officers to proceed to the sudder stations of the several districts.

*Third.* It shall be the duty of those officers to proceed to the sudder stations of the several districts or cities in which the prisoners, whose cases they are respectively to revise may be confined.

*Fourth.*

## A. D. 1818. REGULATION VIII.

**Fourth.** The revision in question shall extend, 1st, to the cases of all prisoners who may be now detained in confinement, under requisition of security, by orders of the Nizamut Adawlut and courts of circuit, merely on the ground of strong suspicion of their having committed a specific offence, without proof of their notorious bad character.

To what cases the revision in question is to extend.

**2ndly.** To the cases of all prisoners ordered, by whatever authority, to be imprisoned for an indefinite period, until they find security.

**3rdly.** To the cases of all prisoners ordered, by whatever authority, to be imprisoned for a definite period, on failure to furnish security for their good behaviour, provided the amount of the security, and the period for which the sureties are to be responsible, be not distinctly specified in the order, and provided that the unexpired period during which the prisoners may be still liable to be detained, shall exceed three years.

To what cases the revision in question is to extend.

**XII.** All prisoners whose cases may be included under the first of the foregoing heads, shall be discharged, unless it shall appear, from the proceedings, that the prisoner is a person, who, from the notoriety of his general bad character, ought not to be released without security: In these cases, as well as in the cases included under the second and third heads, the officer, making the revision, shall be guided by the general principles prescribed in this Regulation, and shall pass such orders as he may judge proper, in each case, under the rules contained in Sections IX and X, of this Regulation.

The revision to be conducted with reference to the general principles prescribed by this Regulation.

**XIII.** The persons who may be nominated by government, for the discharge of this special duty, are hereby vested with full authority to release prisoners confined for security, to diminish the amount of the security, to shorten the periods fixed for the discharge of the prisoners, and generally, to pass any orders favorable to such prisoners, which they may judge proper in the exercise of a sound and humane discretion, and their orders shall not be subject to appeal, or to the revision of any other authority, except in instances in which their orders may appear, to the Nizamut Adawlut, not to be warranted by the powers vested in them by this Regulation.

The orders passed by the individuals appointed to make the revision not subject to appeal, or to the revision of other authorities.

Unless the Nizamut Adawlut shall consider them to be unwarranted by this Regulation.

**XIV.** The officers who may be nominated, by government, for the discharge of the special duty above adverted to, shall submit a report shewing the result of their proceedings in each district, through the Nizamut Adawlut, for the information of government, accompanied by such forms and statements as may be prescribed by the Nizamut Adawlut.

A report, shewing the result of the proceedings of the officers making the revision, to be submitted, through the Nizamut Adawlut, for the information of government.



## A. D. 1818. REGULATION IX.

**A REGULATION** for extending for a further period of five years the existing settlement in the Conquered Provinces lying on the right and left banks of the River Jumna, with the exception of the southern division of the district of Seharunpore and in the territory ceded to the British Government by His Highness the Peishwah in Bundelcund, in all cases, in which the settlement may have been concluded with the actual proprietors of the land :—**PASSED** by the Governor General in Council on the 18th September 1818, corresponding with the 3d Assin 1225 Bengal era ; the 4th Assin 1226 Fusly ; the 4th Assin 1226 Willaity ; the 4th Assin 1875 Sumbut ; and the 16th Zekaad 1233 Higerce.

**THE** existing settlement of the land revenue in the conquered provinces, lying on the right and left banks of the river jumna, and in the territory ceded by His Highness the Peishwah in Bundelcund, will expire with the year 1227, F. S. and an extension of the said settlement for a further period of five years in all cases, in which it shall have been formed with the actual proprietors of the soil, and in which there is no reason to believe that the assessment is greatly inadequate or unequal, is calculated to promote the interests of the landholders, and will be otherwise attended with public advantage ; but there being ground to apprehend that the existing settlement of the southern division of the district of Seharunpore has been formed on very insufficient data, the Governor General in Council deems it proper to exclude that division from the operation of the general arrangement above-mentioned. The following rules have accordingly been enacted, to be in force from the period of their promulgation in the provinces and territory aforesaid.

**II. First.** The existing settlement of the land revenue in the conquered provinces lying on the right and left banks of the river Jumna, with the exception of the southern division of the district of Seharunpore and in the territory ceded to the British government by His Highness the Peishwah in Bundelcund, shall, in all cases, in which it may have been concluded with zemindars or other acknowledged proprietors of land, continue in force until the expiration of the year 1232 Fuslee, subject to the following provisions.

**Second.** If any proprietors of estates, within the said provinces and territory, (with the exception of the tract of country aforesaid,) who may have entered into engagements for the payment of the public revenue, during the existing settlement, shall not be willing to continue to hold their lands on the terms specified in the preceding section of this Regulation, for a further period of five years, viz. to the expiration

Preamble.

The existing settlement of the land revenue in Bundelcund and in the conquered provinces, with the exception of the southern division of Seharunpore, to continue in force until the end of the year 1232 Fusly.

Proprietors who may not be willing to continue to hold their lands for the further period above specified, to notify the same to the collector before the 1st July, 1818.



## A. D. 1818. REGULATION IX.

tion of the year 1232 Fuslee, they shall notify the same to the collector of the zillah, within which their lands may be situated, on or before the 1st July, 1819.

If they shall not make such notification, to be held responsible until the end of the year 1232 for the same revenue as is specified in their engagements for the year 1227.

Rules for the settlement of mehauls let in farm.

*Third.* All such zemindars, who shall not make a notification to the effect, and within the period abovementioned, shall be held, and are hereby declared to be responsible, for the payment of the same revenue, during the five years, subsequent to the settlement now in formation, viz. until the expiration of the year 1232, Fuslee, as may be specified in their engagements for the year 1227, Fuslee.

*III.* With respect to estates which are at present let to farm, and of which the leases will expire with the Fuslee year 1227, the settlement of such mehauls shall be made with the actual proprietors, in all cases in which they may be willing to engage, during the years 1228, 1229, 1230, 1231 and 1232, for the payment of an annual jumma, equal to the amount payable by the farmers respectively on account of the year 1227, and shall make the necessary application to the collector of the district in which the lands may be situated, or to the Board of Commissioners, on or before the 1st January, 1820.

Rules to be observed when proprietors may decline to engage.

*IV.* In cases in which the proprietors of estates may decline to engage for the payment of the revenue demandable from their lands, during the years 1228, 1229, 1230, 1231 and 1232, or in which no acknowledged proprietors may be forthcoming, it will be the duty of the revenue authorities to take timely measures for ascertaining the assets of the estates, preparatory to the arrangements to be made for the above period, and it shall be competent in such cases to the said authorities either to let the lands in farm for that period, or to assume the direct management of them.

Specification of the pergunnahs in the southern division of Seharunpore excluded from the operation of the foregoing provisions.

*V.* The undermentioned pergunnahs, forming the southern division of the district of Seharunpore, are excluded from the operation of the rules contained in the preceding sections of this Regulation; and on the expiration of the present settlement of the said pergunnahs, a new settlement shall be made for a term of five years: Provided however, that in any cases in which the proprietors of estates shall be desirous previously to the expiration of the present settlement of entering into engagements at an adequate jumma, for the years 1228, 1229, 1230, 1231 and 1232, F. S. and the revenue authorities, shall possess in regard to such mehauls, the information necessary to an assessment on proper principles; it shall be competent to the Board of Commissioners at any time after the promulgation of this Regulation, to direct a settlement to be concluded with such proprietors for the period aforesaid, viz. for the years 1228, 1229, 1230, 1231 and 1232, F. S. subject to the confirmation of government.

*Pergunnahs referred to in the above Section.*

Ajrara,  
Baughput,  
Bhojepore,

Bhooma,

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Bhooma,  
Bugra,  
Chuprowles,  
Dadree,  
Dasnah,  
Gungaroo,  
Gurhmooktasur,  
Hawpore,  
Jowley,  
Julalabad,  
Kandlah,  
Keranah,  
Khatowlee,  
Lalookheree,  
Loney,  
Meerut,  
Nelohah,  
Phookanah,  
Shekarpore,  
Shamlee,  
Shuckurpore,  
Sorohee,  
Sumbulheree,  
Surrawah,  
Tandah,  
Tarrapore,  
Tekuree,  
Teturwarra,  
Pooth,  
Seeana,  
Thaqa Fureeda.



## A. D. 1818. REGULATION X.

**A REGULATION** for ensuring the more punctual and regular collection of the public revenue from proprietors and farmers of land in the district of Cuttack, the purgunnah of Puttaspore, and the several purgunnahs dependent on it :—PASSED by the Governor General in Council on the 9th October 1818; corresponding with the 24th Assin 1225 Bengal era; the 25th Assin 1226 Fusly; the 25th Assin 1226 Wilaity; the 10th Assin 1875 Sumbut; and the 8th Zeelhege 1233 Higerree.

**WHEREAS** it is deemed expedient with the view to ensure for the future the more punctual collection of the public revenue from zemindars, talookdars and other actual proprietors of land and farmers of land in the district of Cuttack, the purgunnah of Puttaspore, and the several places dependent on it, to assimilate the system of collection in the said district and purgunnah, and places, more nearly to that pursued in the western provinces; the following rules have been accordingly enacted, to be in force from the promulgation of this Regulation in the district and mohauls above mentioned.

Preamble.

**II.** If the whole, or a portion of the kist or instalments payable for any month by a proprietor or a farmer of land, shall remain undischarged on the 1st of the following month, the sum so remaining unpaid is to be considered an arrear of revenue.

The whole or a portion of a kist, payable for any month, if undischarged on the 1st of the next month, to be considered an arrear of revenue.

**III.** Every proprietor of land, and farmer of land, is to cause the whole of the instalments of each month to be paid into the treasury of the collector of the zillah, or to the tehsildar, or other officer, who may be appointed to receive the public revenue, assessed on the estate or farm, on or before the first day of the following month, without waiting for the amount being demanded by the collector or tehsildar, or other officer.

Every proprietor and farmer to pay the instalments for each month, on or before the 1st of the ensuing month, without waiting for the amount being demanded.

**IV.** In the event of any arrear of revenue being undischarged on the first day of the month succeeding that for which the arrears may be due, the collector shall, in ordinary cases, either issue his dustuck by a peon, or send a written notice by letter through the agents of the parties in attendance at his cutcherry, requiring payment of the kist due within a certain period, after the day on which the writing may be served. In fixing that period, reference shall be had to the distance of his place of residence from the estate or farm of the defaulter, so as to allow him a reasonable time to convey the money to the public treasury, and in determining which of the above modes of process shall be adopted, the collector shall be guided by a considera-

In the event of any arrear remaining undischarged, collector to issue a dustuck, or send a written notice, requiring payment within a given period.

In fixing such period reference to be had to certain circumstances.

tion

## A. D. 1818. REGULATION X.

**Province.**

tion of the credit and responsibility of the parties : Provided, however, that in cases, in which it may appear to the collector unnecessary to issue a written demand, previously to the adoption of ulterior measures for the recovery of any arrear of revenue, it shall be competent to him altogether to omit that process.

Should the arrear still remain unpaid, collector how to proceed.

**V. First.** If the arrear demanded be not discharged by the time prescribed in the requisition issued by the collector, or where a written demand may not have been issued by the 10th of the month, the collector shall issue dustucks under his seal and signature, and the peons serving such dustucks (if the amount in demand be not paid) are to bring the party or parties to whom they are addressed, whether proprietor, farmer, or the surety of either, without delay to the collector's cutcherry. The peons serving these dustucks shall be paid at the rates already established in the province. On the arrival of the defaulters, or their sureties, at the collector's station, the collector shall make enquiry into the circumstances of the case, and if the amount demandable be not paid, may keep the party or parties under arrest (in charge of the peons with whom they arrived or otherwise) during fifteen days from the date of their arrival : Provided however, that the collector may discharge the defaulter or his surety at any time within this period, on their satisfying him, that they will make good the payment required from them before the expiration of the current Hindoo month. But if such satisfaction be not given, and the collector shall not judge proper, under the discretion vested in him by the existing Regulations, in regard to cases in which the proprietor or farmer of land may be unable to discharge the arrear from calamity of season, or other cause not originating in his or their neglect, mismanagement or misconduct, to suspend the imprisonment of the defaulter or his surety, he shall at the expiration of the fifteen days above specified, cause the party or parties to be conveyed to the jail of the nearest court of dewanny adawlut; and shall apply to the court by motion in writing, specifying the amount of the arrear due from the defaulter, and the date on which it became payable. The motion shall be made in open court (if the court shall be sitting) through the pleader of government or other vakeel retained for the purpose; for the confinement of the defaulter : But if the court shall not be sitting, the motion shall be presented to the judge or register out of court. On receipt of the motion, the judge or register shall immediately order the defaulter to be confined in the jail of the dewanny adawlut, and detained until he shall have discharged the arrears, for which he may have been taken into custody, and all subsequent arrears that may become due during his confinement, or until the collector shall apply to the court as above directed to have him released. In all cases in which defaulting farmers or proprietors of land, or the sureties of either shall be put in confinement, it shall be optional with the collector at his own discretion to attach their lands and make the collections according to subsisting engagements, excepting such as are evidently collusive, to the end of the current year, or, at the request of the parties, to allow the

Discretionary authority vested in the collector to discharge from arrear, conditionally, a defaulter or his surety.

Defaulter, if not so discharged, to be conveyed at the end of fifteen days to the dewanny jail.

In cases in which defaulters may be so confined, the collector may attach their land and make the collections.

## A. D. 1818. REGULATION X.

the estate to remain under the management of an agent appointed by them: Provided, however, that in either case, if the neat collections prove insufficient to discharge the arrears due, the estate shall be considered liable to sale by public auction, under the existing rules.

Provido.

*Second.* Provided also, that the collector may proceed to attach the estate of the defaulting proprietor, or farmer, or the surety of either, without arresting his or their persons, in conformity with the rules established for that process by Regulation VII, of 1799, in any month of the year.

Collector may also attach the estate of a defaulting proprietor or farmer, or the surety of either, without arresting his or their persons.

*Third.* Provided further, that if the collector shall be of opinion that instead of confining the person of the defaulter, or the surety, and attaching his estate or farm, the arrear due from him will be more speedily discharged by distraining and selling any personal property belonging to the defaulter or his surety; or if in any case, notwithstanding the confinement of a defaulting proprietor or farmer or surety, and the attachment of his estate or farm for an arrear of revenue, such arrear be not discharged, and the defaulter or his surety shall possess any personal property from which the same can be made good, the collector may cause the personal property of the defaulter, or his surety, to be distrained and sold, as far as shall be necessary for the recovery of the arrear due, in the mode and under the restrictions prescribed by the Regulations, with regard to the distress and sale of personal property of under-tenants, for the recovery of arrears of rent due from them to proprietors and farmers.

Collector may distrain and sell any personal property belonging to the defaulter or his surety, for the recovery of the revenue.

*Fourth.* Provided likewise, that whenever any portion of an instalment of revenue, payable in any month, remains undischarged on the first of the following month, the collector may forthwith, or at any subsequent period (such arrear still remaining undischarged) with or without serving on the defaulter, whether a proprietor or farmer, a written demand, advertise lands the property of the defaulter, or his surety, for public sale; reporting the same with all convenient expedition to the Board of Revenue, or other authority exercising the powers of that Board: but the collector shall in no case proceed to the actual sale of the landed property of a defaulting proprietor, or farmer or the surety of either, without the express sanction of the Board or other authority aforesaid, previously obtained; and it shall be the duty of the revenue authorities to avoid having recourse to the public sale of the landed property of defaulters and their sureties, except in cases in which they may be satisfied that such a measure is necessary to the realization of the dues of government; and that the other measures authorized in the preceding sections would prove insufficient for that purpose.

Collector may advertise defaulter's lands for sale, giving notice thereof to the Board of Revenue, or other executive authority; but not to proceed to the actual sale of such lands, without the sanction of the Board or authority.

VI. With the view of preventing proprietors or farmers of land from withholding the payment of the public revenue, in order to derive the benefit of the use of the money or otherwise applying it to their private purposes, it is hereby enacted

Should a proprietor or farmer withhold the payment of revenue, with a view to derive benefit from the use of the money

that

## A. D. 1818. REGULATION X.

may, collector to charge interest on the arrear.

that in any case in which it shall appear to the collector, that a talookdar, zemindar or other actual proprietor or farmer of land has, without sufficient cause established to his satisfaction, withheld the payment of the public dues; the collector shall be authorized to charge the defaulter interest on the arrear at the rate of twelve per cent per annum. The payment of the interest shall be enforced by the same process which is prescribed by this Regulation for compelling the discharge of arrears of the stipulated public revenue.

Collectors of Cuttack and Hidgelly, in instances of arrears accruing within that district and pargunnahs to be careful to ascertain the real causes of the arrears, and authorized to suspend the exercise of the powers vested in them, in cases which may appear to deserve consideration.

VII. Under the ample powers now vested in the collectors of Cuttack and Hidgelly, for ascertaining the assets of estates lying within the district and pargunnahs, to which this Regulation extends, by the process of attachment, and for bringing defaulters into their presence, as soon as an arrear becomes due, it is expected that in all instances of arrears accruing within the said district and pargunnahs, the above-named functionaries will be particularly careful to inform themselves as far as possible of the real cause of the arrear; viz. whether want of good faith on the part of the defaulter, or actual inability from a failure in his rents, from calamity of season or from any other cause. When the collector, from the report of his mofussil officers, from personal observations, or from other information, obtained by him, shall be satisfied that the defaulter, whether proprietor or farmer, is unable from real inability, not proceeding from any personal deficiency, to make good his arrears by the periods specified in Section V, either from the collections from his estate or farm, or from his private funds, or property, he is directed to suspend the exercise of the powers vested in him, for the confinement of the defaulter, the attachment of his estate, the distraint and sale of his or his surety's personal property, and immediate advertisement of his or his surety's landed property for sale by public auction: But the collector shall on such occasions immediately report all the circumstances of the case to the Board of Revenue, Commissioner, or other authority exercising the powers of that Board, and shall be guided by the instructions which he may receive from the Board or other authority aforesaid. In forwarding his monthly towjees also to the Board, or other authority exercising the powers of that Board, the collector shall state particularly the number of cases in which he has found it necessary to resort to coercive measures of the nature authorized in the preceding sections, as well as those in which he has considered it just and expedient to suspend the exercise of his powers; and the Board or other authority aforesaid, are hereby required to notice in their reports to the Governor General in Council on the towjee accounts of the district, and pargunnahs aforesaid, the attention or otherwise of the collector to this important part of his duty.

To report such cases to the Board.

Nothing in this Regulation to be understood as affecting existing Regulations for the collection of revenue in Cuttack, except such as are expressly superseded.

VIII. Nothing contained in this Regulation, shall be understood to alter or affect any of the provisions of existing Regulations relative to the collection of the land revenue in the zillah of Cuttack, excepting where they are virtually or expressly superseded, or modified, by any of the above enactments.

## A. D. 1818. REGULATION XI.

A REGULATION for modifying certain parts of Regulation XIII, 1816 :—PASSED by the Governor General in Council on the 6th November, 1818; corresponding with the 22d Kautick, 1225 Bengul era; the 23d Kautick 1226 Fusly; the 23d Kautick, 1226 Willaity; the 9th Kautick, 1875 Sumbut; and the 6th Mohurram, 1234 Higeree.

WHEREAS by Sections XXXIX and LXXVI, Regulation XIII, 1816, it is prescribed that all opium, excepting that which may be manufactured on account of government, or sold by its authority; which may be found within the provinces dependent on the presidency of Fort William; together with opium of whatsoever description, which may be found in the possession of any person, not duly authorized, in a quantity exceeding two tolahs weight, shall be considered contraband; and all persons, in whose possession such contraband opium may be found, are liable to the penalties prescribed in Section XLV, of the abovementioned Regulation; and whereas it appears expedient to exempt in certain cases travellers and visitants from foreign states, from the operation of the above rules, and generally to enlarge the quantity of opium which individuals are permitted to have in their possession; and whereas it has likewise appeared advisable to modify certain other parts of the Regulation aforesaid; the following rules have been enacted, to be in force from the date of their promulgation throughout the provinces immediately dependent on the presidency of Fort William.

II. First. Section XXXIX, Regulation XIII, 1816, shall not be considered as authorizing the seizure and confiscation of any opium, the produce or manufacture of a foreign state or country, which may be found in the possession of any traveller or visitant from such foreign state or country, nor the seizure and confiscation of the carriages, cattle or packages on, or in which the opium may be found; provided that such opium do not exceed the quantity of two seers; and that it be bona fide intended for the private use and consumption of such traveller or visitant, or for the use and consumption of his attendants, and not for sale or traffic. Nor shall the section above quoted be considered as authorizing the seizure and confiscation of any opium the produce or manufacture of a foreign state or country, which may be found in the possession of any dealers in horses from beyond the south west frontier of the conquered provinces, travelling with a string of horses; nor the seizure and confiscation of the carriages, cattle or packages on, or in which the opium may be found: provided that such opium do not exceed the proportion of ten sicca weight for each horse.

Preamble.

Section XXXIX, Regulation XIII, 1816, not to authorize the seizure of foreign opium when the quantity found in the possession of any traveller or visitant from a foreign state, may not exceed two seers, and may be intended for private use.

Nor the seizure of opium found in the possession of dealers in horses, when the quantity may not exceed ten sicca weight for each horse.

Second



## A. D. 1818. REGULATION XI.

Section XLV, of the same Regulation, not to authorize any penalties for a breach of the above rules, except the confiscation of the opium found in excess to such limitation.

Penalty, if such foreign opium be offered for sale.

Penalty for the illicit dealing in foreign opium.

Modification of Section LXXVI, Regulation XIII, 1818.

Under what circumstances the opium to be considered contraband.

Power reserved to the Board of Revenue to allow native medical practitioners or other individuals to retain larger quantities of opium than five tolahs weight.

Penalty for selling or giving away opium contrary to the purposes stated in the preceding clause.

*Second.* In like manner Section XLV, of the said Regulation, shall not be considered as authorizing the imposition of any fine or a sentence of imprisonment, on any such traveller or visitant, or dealer in horses from a foreign state or country, in whose possession any greater quantity of opium, the produce or manufacture of any foreign state, may be found, than the quantity specified in the foregoing clause; nor the infliction of any other penalty besides the confiscation of the opium in excess to such limitation.

*Third.* Provided, however, that if any such traveller or visitant, or dealer in horses, shall at any time offer such opium for sale, or shall be proved to have at any time sold such opium, he or they shall be liable to all the penalties prescribed by the above quoted Regulation.

*Fourth.* Provided also, that nothing contained in the above clauses, shall be considered applicable to persons fraudulently, or clandestinely importing foreign opium into the provinces dependent on the presidency of Fort William in violation of the law. All such persons shall be and continue subject to the penalties, which are or may be prescribed for illicit dealings in opium.

*III. First.* In modification of Section LXXVI, of the above quoted Regulation, it is hereby declared, that all persons may have in their possession any quantity of opium, not exceeding five tolahs weight of the weight in use at the public shops in the district, being opium duly manufactured on account of government, or sold by its authority, and intended for private use and consumption, and not for sale or traffic.

*Second.* If a greater quantity of opium than that above specified shall be found on, or in possession of any person not duly authorized, and not being of the description specified in Section II, of this Regulation, the opium shall be considered contraband, as heretofore, and the offender shall be liable to the penalties prescribed in the above quoted section.

*Third.* Provided however, that in cases in which the Board of Revenue, or other authority exercising the powers of that Board, may deem it expedient to authorize native medical practitioners, or other individuals, to retain in their possession for medical purposes a larger quantity of opium than five tolahs weight, or to supply such persons with opium directly from the collector's office, at a lower price than it can be furnished by the licensed venders, the Board, or other authority aforesaid, shall be empowered to direct the collectors, or other officers in charge of the abkarry mehal to grant to such persons a special license to that effect free of tax, and to supply them with opium on such terms as under the circumstances of the case may appear reasonable and proper.

*Fourth.* Parties receiving such licences shall in no case sell or give any of the opium received by them under the above provision, unless for the purpose of its being bona fide administered under their own directions as medicine, in cases of actual sickness

#### A. D. 1818. REGULATION XI.

sickness duly ascertained by them. All such licenses shall be liable at all times to be cancelled by the collector or other officer in charge of the abkarry mehal, with the sanction of the Board of Revenue or other authority exercising the powers of that Board; and any person having such a license, who shall sell or give opium to any person otherwise than for the purpose and in the manner above stated, or shall have in his possession a larger quantity of opium than that specified in his license, shall be subject to all the penalties prescribed for the illicit vend and possession of the drug.

IV. *First.* In modification of the rules contained in Sections L and LI, Regulation XIII, 1816, and the other provisions contained in that Regulation for determining the rewards granted on the seizure and confiscation of contraband opium, it is hereby enacted that all illicit opium that may be hereafter seized, shall be valued at seven rupees per seer, and that in all cases, in which the rewards assigned to persons seizing contraband opium, or giving information leading to the seizure of such opium, or to European functionaries by whose subordinate officers a seizure is effected, are regulated by the quantity of opium seized and confiscated, the amount of such rewards shall be proportionably reduced; that is to say, in cases in which under the provisions of the said Regulation persons as aforesaid are entitled to a reward of two rupees eight annas per seer of eighty sicca weight on the quantity of opium confiscated, such persons shall henceforth receive for each seer one rupee twelve annas only, and in cases in which the reward now receivable is rupees five per seer, a reward of three rupees eight annas per seer shall be granted.

*Second.* Provided further, that the said rewards of one rupee twelve annas and three rupees eight annas per seer shall be granted only in cases in which the owners of opium seized and confiscated may be apprehended and convicted, and that in cases in which the said owners shall not be apprehended and convicted, the persons seizing the opium, or giving information leading to the seizure of it, and the European functionaries by whose subordinate officers the seizure may be effected, shall be entitled to one moiety only of the said rewards, viz. to fourteen annas, or one rupee twelve annas per seer, as the case may be.

Rule for determining rewards for the seizure and confiscation of contraband opium.

Rewards how to be determined in cases where the owner of opium may be seized and convicted, and in cases where the owner may not be apprehended and convicted.



## A. D. 1818. REGULATION XII.

A REGULATION for extending the powers of the magistrates and joint magistrates in the trial of persons charged with breaking into houses and other places of habitation, or into warehouses or other places used for the custody of property with an intent to steal; or charged with theft; or with buying or receiving stolen property, knowing the same to have been stolen; or charged with escape from jail or other place of confinement:—PASSED by the Governor General in Council on the 6th November 1818, corresponding with the 22d Kautick 1225 Bengal era; the 23d Kautick 1226 Fusly; the 23d Kautick 1226 Willaity; the 9th Kautick 1875 Sumbut; and the 6th Moharram 1234 Higerre.

**W**HEREAS under the existing Regulations the magistrates are not empowered to pass any sentence of punishment upon prisoners who may be charged before them with the offence of breaking into or attempting to break into houses, tents, boats, or other places of habitation, or into warehouses or other places, used for the custody of property, with an intent to steal, as defined in Section II, Regulation I, 1811, or with the offence of receiving or buying stolen goods, knowing the same to be stolen; and whereas much of the time of the judges of circuit is occupied in investigating these and some other offences, which from their character and from the circumstances attending their perpetration, do not very frequently demand any severe or exemplary degree of punishment; and whereas the prosecutors and witnesses in such cases are exposed to great distress and inconvenience in being compelled to attend, not only during the enquiry into such cases before the magistrates, but subsequently during the trial before the court of circuit; and whereas the prisoners themselves in such cases, are sometimes subjected to a prolonged detention in custody previously to their trial at the sessions; and whereas some of the inconveniences above noticed will be obviated, and the ends of criminal justice will be more promptly and effectually obtained by investing the magistrates with certain powers with regard to the trial and punishment of persons charged with and convicted of such offences; the following rules have been enacted, to be in force from the date of their promulgation throughout the territories immediately dependent on the presidency of Fort William.

II. *First.* The zillah and city magistrates shall be guided by the following rules, whenever individuals may be apprehended and brought before them, on a charge of having committed the offence of breaking into, or attempting to break into, a dwelling house, tent, boat, or other place of habitation, by night or by day, with an intent to steal (but without open violence, such as to constitute the crime

Preamble:

Rules for the guidance  
of magistrates on the  
trial of offenders charged  
with burglary.

*Modified  
Reg 6:1824*  
of

## A. D. 1818. REGULATION XII.

of robbery by open violence,) or with the offence of breaking into, or attempting to break into any warehouse, store-house, or other building or place used for the custody or preservation of property, either by night or by day, with an intent to steal (but without open violence;) or of being present, aiding and abetting in the commission of any of the offences above specified; or although not present, of having procured or caused the perpetration of any of those offences by hire, counsel or command; or of having in any manner confederated with the actual perpetrators of them, in pursuance of a pre-concerted plan.

In cases of burglary attended with acts of violence, and certain other circumstances of aggravation, the magistrates to commit the offenders to the court of circuit.

*Second.* If the perpetration of any of the offences enumerated in the preceding clause, not amounting to the crime of robbery by open violence, shall be accompanied with murder, or with an attempt to commit murder, or with wounding, burning, corporal injury, or other aggravating act of personal violence; or if the prisoners, concerned in the offences described in the preceding clause, shall appear to have been before convicted of burglary, robbery, or other heinous crime; or if the prisoners, or any of them, shall appear to be persons of notoriously bad character, or shall be charged with having committed the offence while employed in the office of watchmen, guards, or police officers, as described in Section IV, Regulation III, 1805; or if the value or amount of the property stolen, shall exceed the sum of one hundred rupees: in all such cases, it shall be the duty of the magistrate to commit the whole of the prisoners who may appear from the evidence adduced to have been concerned in the offence, to take their trial before the court of circuit at the ensuing session.

Punishment to be awarded by courts of circuit on such offenders when convicted.

*Third.* In cases of conviction before the court of circuit of individuals charged with any of the offences above specified, the judge of circuit shall be guided by the rules contained in Section VIII, Regulation XVII, 1817, referring such cases as may come within the provisions of clause second, and clause fourth of that section, to the court of Nizamut Adawlut, and in all other cases not coming within the provisions of those clauses, sentencing the prisoners to suffer such degree of punishment, as on a consideration of all the circumstances of the case, may appear adequate to the offence; not exceeding, however, in any instance, thirty-nine stripes of the corah, and imprisonment with hard labour for fourteen years, with or without banishment from the district in which the prisoner may have resided.

Magistrates empowered to take cognizance of burglaries, unattended with the aggravating circumstances noticed in clause second.

*Fourth.* If from the investigation held by the magistrate, there shall appear reason to believe, that a prisoner apprehended and brought before him, has been guilty of any of the offences described in the first clause of this section, but that such offence has not been attended with any of the circumstances of aggravation specified in the second clause of this section, the magistrate shall, in addition to the evidence which may be adduced on the part of the prosecution, take the defence of the prisoners and the evidence of the witnesses who may be designated by the prisoners

## A. D. 1818. REGULATION XII.

prisoners in support of their defence, and, after a full and deliberate investigation, shall proceed, without reference to the court of circuit, to pass sentence of acquittal or conviction.

*Fifth.* If the prisoners be convicted, the magistrate is hereby empowered to sentence them to imprisonment, with hard labor for a period not exceeding two years, and to corporal punishment not exceeding thirty stripes of the ratan, and to carry such sentence into immediate execution.

Punishment which the magistrates may inflict on offenders convicted of burglary before them.

Rules for extending the powers of magistrates in the punishment of persons convicted of theft, and defining cases cognizable respectively by magistrates and courts of circuit.

*III. First.* Under the existing Regulations, the magistrates are empowered to sentence prisoners convicted before them, of theft, to imprisonment for a period not exceeding six months, with corporal punishment not exceeding thirty ratans; and in cases appearing to them to demand a more severe punishment, they are required to commit the prisoners for trial before the court of circuit. The following rules are now enacted, for extending the powers of the magistrates in the punishment of prisoners, convicted of theft, and for defining the cases which are to be cognizable respectively by the magistrates, and by the courts of circuit.

*Second.* In all cases of theft, whether in a house, warehouse, or other place, or from the person of another (not coming within the provisions of the Regulations in force for the punishment of robbery by open violence, or the provisions of Clause First, Section II, of this Regulation,) if the theft, or the attempt to commit the same shall have been accompanied with murder, or with an attempt to commit murder; or with wounding, burning, severe corporal injury, or other aggravating act of personal violence, it shall be the duty of the magistrate to commit the whole of the prisoners, who may appear from the evidence adduced to have been concerned, either as principals or accomplices in the offence, to take their trial before the court of circuit at the ensuing session.—The magistrate shall also exercise his discretion in committing for trial before the court of circuit, any prisoners charged with theft (although not attended with the aggravating circumstances above mentioned,) who from their notoriously bad character, or from their having been before convicted of a heinous offence, or from any other peculiar circumstances of the case, may appear to him deserving of a more severe punishment than the magistrate is authorized to inflict under the following clauses of this section.—Such persons, if convicted on trial before the court of circuit, will be liable to the penalties prescribed for the offences in question by the 2d, 4th, 5th, and 7th Clauses of Section VIII, Regulation XVII, 1817.

Thefts in which the offenders must be committed for trial before the court of circuit.

Discretion vested in magistrates in committing prisoners accused of theft, for trial, although not charged with using personal violence.

*Sec 2, R 6 of 1817*

Penalties to which such persons are liable on conviction before the court of circuit.

*Third.* With exception to the cases above mentioned, the magistrates shall hear and determine, without reference to the courts of circuit, all other cases of theft, and after having duly considered the evidence which may be adduced on the part of the prosecution and of the prisoner, shall pass sentence of acquittal or conviction.

Magistrates to try and decide in all other cases of theft.

*Fourth.* In cases of theft cognizable by the magistrate under the foregoing rules, if the amount or value of the property stolen shall exceed fifty rupees, or if the persons

Punishment to which prisoners are declared liable in cases of theft cognizable by magistrates.

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Notes if attended with  
aggravating circumstan-

sons committing the theft shall have been before convicted of theft, burglary, robbery, or other heinous offence; or if the prisoner shall have committed the offence while employed in the office of watchman, guard or police officer, as described in Section IV, Regulation III, 1805, or be a servant of the person from whom the property may have been stolen, or a servant employed in the house in which the theft may have been committed, as well as in all cases of cattle stealing, the magistrate shall be empowered, on proof of the guilt of the prisoner, to sentence him to imprisonment with hard labour for such period as may appear proper, not exceeding two years, and to corporal punishment, not exceeding thirty stripes with a ratan.

Magistrate to refer other  
cases of theft to his assis-  
tant or investigate them  
himself.

*Fifth.* In other cases of theft, not included in the foregoing provisions, the magistrate shall either refer the case for decision to his assistant, under the powers vested in the assistant to the magistrate, by the Regulations in force, or shall proceed to investigate them himself, and to pass sentence on the prisoners under the powers vested in him by Section XIX, Regulation IX, 1807,

Sections VII and VIII,  
Regulation I, 1811, re-  
scinded, and rules enacted  
for the guidance of  
magistrates in investiga-  
ting charges against re-  
ceivers and buyers of  
stolen property.

IV, *First.* The provisions contained in Sections VII and VIII, Regulation I, 1811, for the punishment of persons convicted of receiving or buying stolen or plundered property, knowing the same to have been stolen or plundered, are hereby rescinded, and the magistrate shall be guided by the following rules in the investigation of charges preferred against individuals for the offence of receiving or buying stolen goods, cattle, jewels, money, or effects of whatever description, knowing the same to have been stolen.

Purchasers or receivers  
of stolen property, ob-  
tained under aggrava-  
ting circumstances, to  
be tried before the court  
of circuit.

*Second.* All prisoners who may appear to the magistrate from the investigation held by him, to be guilty of having purchased or received plundered or stolen property, of any description, knowing at the time of his purchasing, or receiving the same, that such property had been obtained in the perpetration of robbery by open violence, or of theft, accompanied with any of the aggravating circumstances described in the second clause of Section II, or the second clause of Section III, of this Regulation, shall be committed by the magistrate to take their trial before the court of circuit; and such persons if convicted before the court of circuit of the offence of receiving or buying plundered or stolen goods, cattle, jewels, money, or effects of whatever description, knowing at the time that such property had been obtained by robbery, or by theft, accompanied with any of the aggravating circumstances described in the second clause of Section II, or the second clause of Section III, of this Regulation, shall be sentenced by the judge of circuit, according to the circumstances of the case, to such period of imprisonment as may appear proper, in no instance, however, exceeding fourteen years, and to corporal punishment, not exceeding thirty-nine stripes of the corah.

Punishment on convic-  
tion.

Notorious offenders and  
common receivers of ste-  
len property obtained  
without violence, may be  
also tried before the  
court of circuit.

*Third.* The magistrate shall also be empowered to commit for trial to the court of circuit, any prisoner charged with the offence of buying or receiving stolen property of whatever description, knowing at the time that such property had been stolen,

## A. D. 1818 REGULATION XII.

lep, although the property may not have been obtained in the perpetration of theft, accompanied by any of the aggravating circumstances described in the second clause of Section II, and the second clause of Section III, of this Regulation, provided that the prisoner shall have been before convicted of the offence of buying or receiving stolen property, or of robbery, burglary, theft, or other heinous crime, or that the prisoner shall appear to be an habitual and professional receiver of stolen property, or a person of notoriously bad character, and such person shall, upon being duly convicted before the court of circuit, be liable to such punishment within the limitations prescribed in the preceding clause of this section, as the court of circuit may judge proper to direct, on a consideration of all the circumstances of the case.

*Fourth.* With exception to the cases abovementioned, the magistrate shall hear and determine, without reference to the courts of circuit, all other cases in which individuals may be charged with the offence of buying or receiving stolen property of whatever description, knowing it at the time to have been stolen, or with the offence of having in their possession property obtained by theft or robbery, and knowing at a period of time subsequently to its first coming into their possession, that such property had been so obtained, notwithstanding which they may have kept the stolen property in their possession without restoring it to the owner, or giving information to the local police officer or magistrate—In such cases the magistrate, after having duly considered the evidence in support of the prosecution, the defence of the prisoners, and the evidence of the witnesses designated by the prisoners, shall proceed to pass sentence of conviction or acquittal: If the prisoners be convicted, the magistrate is hereby empowered to sentence them to imprisonment with hard labour, for a period not exceeding in any case two years, and to corporal punishment, not exceeding thirty stripes of the ratan.

*Fifth.* It is hereby explained, that persons charged with the offences specified in the preceding clauses of this section, may be brought to trial and sentenced to punishment, although the actual perpetrators of the theft or robbery may not have been convicted; provided however, that the fact of the theft or robbery having been committed be established, and it be proved, that the purchaser or receiver knew that the property in question had been obtained by theft or robbery.

*V. First.* The cases of convicts, or of prisoners ordered to be confined till they give security for good behaviour, who may effect their escape while under sentence, or order of imprisonment, from a jail, or other place of confinement, or from the custody of their guards, shall be cognizable by the magistrate, and upon conviction, the magistrate shall be empowered to sentence the offenders to corporal punishment, not exceeding thirty stripes with a ratan, and (if sentenced to a limited period of imprisonment) to suffer such further period of imprisonment beyond the unexpired term of their original sentence, as he may judge proper; provided, however, that such ad-

Magistrates empowered to hear and decide all other cases in which prisoners may be charged with buying or receiving stolen property.

Magistrates how to proceed in such cases.

Receivers may be tried and punished, although the actual thief or robber may not have been convicted.

Proviso.

Convicts, or prisoners confined for security, effecting their escape, to be tried by the magistrate.

Punishment on conviction.

Proviso.

ditional



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ditional imprisonment shall in no case, exceed the period of two years. ~~If the prisoner~~ <sup>the prisoner</sup> be in confinement under an order to find security for good behaviour, he may be sentenced to imprisonment for a specific term, not exceeding two years.

Prisoners escaping from confinement, while under examination, to be tried and sentenced by the magistrate.

*Second.* The cases of prisoners apprehended and detained in custody, under examination on charges of a criminal nature, but not admitted to bail, who may effect their escape from a jail or other place of confinement, or from the custody of their guards, shall also be cognizable by the magistrates, and such prisoners being duly convicted of the offence in question, shall be liable to a sentence of imprisonment, in no case exceeding six months.

The foregoing rules declared inapplicable to convicts, who, in escaping from confinement, may be guilty of acts of serious personal violence.

Magistrates how to proceed in such cases.

*Third.* The rules contained in the two preceding clauses shall not, however, be considered applicable to the cases of convicts, or other prisoners, who, in effecting their escape, or in attempting to effect their escape, shall be guilty of such a degree of violence towards their guards or other individuals, as may in its consequences, involve the death, wounding or severe personal injury of any person or persons. In all cases of that nature, it shall be the duty of the magistrate to commit the offender to take his trial before the court of circuit.

Magistrates to submit separate lists to the courts of circuit, of all persons, sentenced by them to a longer imprisonment than six months.

VI. *First.* In addition to the calendars of persons apprehended and discharged, or punished, which the magistrates are now required to submit to the court of circuit at the period of the sessions, it shall be the duty of the magistrates to furnish a separate list of all persons, who may have been sentenced by them under the provisions of this Regulation, to a longer period of imprisonment than six months, shewing the names of the prisoners, the crimes with which they may have been charged and the sentences passed upon them; and it is hereby declared, that the powers vested in the courts of circuit, and in the Nizamut Adawlut, with regard to the revision of sentences and orders passed by the magistrates, shall be considered applicable to all sentences and orders passed by the magistrates under this Regulation.

The Nizamut Adawlut and courts of circuit empowered to revise all such sentences and orders passed by the magistrates.

The powers vested in the magistrates extended to the superintendants of police and joint magistrates.

*Second.* The superintendants of police, and all officers vested with the powers of joint magistrates under the Regulations, are hereby declared competent to exercise the same powers and functions as are entrusted to the zillah and city magistrates under this Regulation.

Darogahs, &c. entrusted with discretionary authority in apprehending, and forwarding, certain offenders to the magistrates.

VII. *First.* By the first clause of Section XXV, Regulation XX, 1817, the darogahs and other police officers are authorized to stay the process of arrest against persons accused of any of the offences specified in that section (including house-breaking and theft,) until they can receive the magistrate's orders, when any special reason may appear why the issue of process for apprehending the party accused should be stayed. In further explanation of that clause, it is hereby declared, that the darogahs and other police officers are empowered to postpone apprehending and forwarding to the magistrate, persons charged with thefts, whether attended with burglary or otherwise; provided it shall appear that the offenders shall not have used

Proviso.

any

## **A. D. 1818. REGULATION XII.**

any personal violence in the occurrence, and provided that the parties against whom the offence shall have been committed, shall express their desire, that the offenders shall not be apprehended, and conveyed before the magistrate ; provided also, that the offenders have not previously been actually guilty of, or suspected of having committed theft, or burglary, or robbery.

**Further provision.**

**Second.** Every case of this nature shall be fully and immediately reported by the police officers to the magistrate, who will either call for any further information which he may judge proper, or will at once determine according to the circumstances of the case, whether it is or is not necessary, for the ends of justice, that the charge should be regularly investigated, and will issue his orders accordingly.

**Such cases to be reported to the magistrates.**

**Third.** In the exercise of that discretion, the magistrate will be governed by any extenuating circumstances, which may appear, such as the youth of the offender, his having been prompted to the offence (more especially in times of scarcity and famine) by extreme distress, and by his character appearing to have been previously respectable : Under less favorable circumstances, the magistrate will also attend to the important object of preserving the honor of families, when the offender may be nearly connected with the party who has suffered the injury, and the latter may be anxious to exempt the offender from the infamy of a public ignominious punishment.

**Magistrates how to proceed in such cases.**



## A. D. 1818. REGULATION XIII.

**A REGULATION** for extending for a further period of three years the existing settlement of Cuttack, Purgunnah Puttaspore, and its dependencies, in all cases in which the settlement may have been concluded with zemindars or actual proprietors of the land:—**PASSED** by the Governor General in Council on the 20th November 1818, corresponding with the 6th Aughun 1225 Bengal era; the 8th Aughun 1226 Fusly; the 7th Aughun 1226 Willaity; the 7th Aughun 1875 Sumbut; and the 20th Moherrem 1224 Higeree.

**WHEREAS** the existing settlement of the district of Cuttack, the purgunnah Puttaspore, and its dependencies, will expire with the present year, 1226 Umlee, and whereas an extension of the said settlement, at an equal jumma, in all cases in which it has been formed with zemindars or other proprietors of estates is calculated to promote the interests of that class of persons, and will likewise afford due time to the revenue officers to collect the materials necessary for the formation of a settlement on proper principles; and whereas it appears expedient to make a distinct provision for determining the amount of malikana to be allowed to those zemindars or other proprietors who shall decline to enter into engagements for their estates; the following rules have been enacted, to be in force from the date of their promulgation in the district of Cuttack, and in the purgunnah of Puttaspore, and its dependencies.

**II.** The existing settlement of the land revenue of the district of Cuttack, and of the purgunnah Puttaspore, and its dependencies; shall, in all cases in which it may have been concluded with zemindars, or other acknowledged proprietors of land, continue in force until the expiration of the year 1229 Umlee, subject to the following provisions.

**III.** If any zemindars or other proprietors of estates within the said district and purgunnah and its dependencies, who may have entered into engagements for the payment of the public revenue during the existing settlement, shall not be willing to continue those engagements to the expiration of the year 1229 Umlee, they shall notify the same to the collector of Cuttack, or to the collector of Hidgellee, according as the lands may be subject to the authority of either of those officers, on or before the 1st March 1819, corresponding with the 19th Phagoon 1225 Bengal era; the 19th Phagoon 1226 Fusly; the 20th Phagoon 1226 Willaity; the 5th Phagoon 1875 Sumbut; and the 3d Jumadoolawal 1234 Higeree.

**Preamble:**

The settlement of Cuttack and of the purgunnah of Puttaspore and its dependencies, to continue in force until the expiration of the year 1229 Umlee.

Zemindars who may be unwilling to continue their engagements to the year 1229 Umlee, to notify the same to the collector on or before the 1st March, 1819.

**IV.**

## A. D. 1818. REGULATION XIII.

Zemindars liable to the payment of the same revenue as before, if they do not make such notification.

IV. All zemindars who shall not make a notification to the effect, and within the period abovementioned, shall be held, and are hereby declared to be responsible, for the payment of the same revenue, during the ensuing three years, viz. until the expiration of the year 1229 Umlee, as may be demandable from them on account of the present year, under the provisions of Regulation VI, 1816, or under distinct engagements entered into by such proprietors.

Settlement how to be formed of estates now let to farm or held khaus.

V. With respect to estates which are at present let to farm, and of which the leases will expire with the present year, as well as estates now held khaus, the settlement of all such lands shall be formed for the ensuing three years with the zemindars, or other actual proprietors of land, supposing such persons to be willing to engage for the payment of the public revenue, on such terms as may appear reasonable, according to the most accurate information obtainable regarding the produce of their lands.

Revenue authorities how to proceed in cases where the zemindars or proprietors may relinquish the management of their estates, and in cases where no proprietors of lands may be forthcoming.

VI. In cases in which the zemindars or other proprietors may relinquish the management of their estates under the option given to them, by Section III. of this Regulation, or who may otherwise decline to engage for the payment of the revenue demandable from their lands during the ensuing three years, and in cases in which no acknowledged proprietors of lands may be forthcoming, it will of course be the duty of the revenue authorities to take timely measures for ascertaining the assets of the estates, and it shall be competent in such cases to the said authorities to let the lands in farm for such period not exceeding ten years, as the Governor General in Council shall appoint, or to assume the direct management of them. In all such cases the recusing zemindars shall be entitled from and after the commencement of the ensuing Umlee year, to receive an allowance as malikana, at such rate as the Board of Revenue, the Commissioner in Cuttack, or other officer exercising the powers of the said Board, shall in each case determine, any thing in the existing Regulations notwithstanding; provided, however, that the said allowance shall not in any case be less than five per cent, on the net amount realized by government from the lands, nor shall it exceed ten per cent on that amount, without the special sanction of the Governor General in Council: provided further, that if the said recusing zemindars or other proprietors, shall in any case be in the receipt of any allowance in lieu of the nankar, formerly granted to them by the Marhatta government, under the provisions of Regulation XII, 1805, the amount of such nankar allowance shall be deducted from the malikana, to which they are by this section declared to be entitled.

Recusing zemindars entitled to an allowance as malikana.

At what rate the malikana to be fixed.

All nankar allowance enjoyed by a recusing zemindar, to be deducted from the malikana authorized under the present Regulation.

## A. D. 1818. REGULATION XIV.

A REGULATION for altering the standard of the Calcutta Sicca Rupee and Gold Mohur, and for further modifying some of the rules in force respecting those coins.—  
PASSED by the Governor General in Council, on the 24th December 1818; corresponding with the 11th Poose 1235 Bengal era; the 12th Poose 1226 Willaity; the 12th Poose 1875 Sumbut; and the 25th Suffer 1234 Higeree.

THE high standards established for the gold mohur and sicca rupee, having been found productive of many inconveniencies, both to individuals and the public, in as much as they are ill calculated to resist the wear and defacement to which coins are necessarily exposed, and as they are only to be obtained by having recourse to the expensive process of refining, diminishing consequently the productiveness of most of the sorts of bullion imported into the Company's territories; and it being desirable also, that as much uniformity as can be established between the currencies circulating at the different presidencies, should be introduced,—consequently that an approximation of the standard of the Calcutta coins to the standard of those current at Madras and Bombay should be effected,—it has been resolved to rescind the provisions of former Regulations relative to the standard of the gold mohur and nineteenth sun sicca rupee, and to coin in future money of the proportions hereafter to be specified.

Preamble.

As a reduction in the value of the sicca rupee from its being in great measure the money of account, both in private and public transactions, would necessarily change the terms of all existing contracts, and might be productive of embarrassment and trouble, it has been determined to leave the rupee unaltered in this respect and the new Calcutta sicca rupee will consequently contain the same quantity of fine silver, as that heretofore struck, and being of the same intrinsic value, will circulate on the same terms. The mint proportions of silver and gold being, it is believed, inaccurately estimated at present, and it being also desirable, that an uniformity in this respect should be introduced at the three presidencies of Calcutta, Madras and Bombay, it has been thought advisable to make a slight deduction in the intrinsic value of the gold mohur, to be coined at this presidency, in order to raise the relative value of fine gold to fine silver, from the present rates of 1 to 14,861, to that of 1 to 15. The gold mohur will still continue to pass current at the present rate of sixteen rupees. For the purposes and objects above enumerated, the following provisions are hereby enacted, and declared to be in force from the 1st of January, 1819.

I. *First.* So much of Section II, Regulation XXXV, 1793, as fixes the weight and standard of the nineteenth sun sicca rupee and gold mohur, is hereby rescinded.

*Second.*

Part of Section II, Regulation XXXV, 1793, rescinded.

## A. D. 1818. REGULATION XIV.

Specification of the weight and standard of the Calcutta sicca rupee and gold mohur.

*Second.* The weight and standard of the Calcutta sicca rupee and gold mohur, and their respective divisions, shall be as follows.

	<i>Gold.</i>	<i>Fine Gold.</i>	<i>Alloy.</i>
<b>Gold Mohur Weight.</b>			
Grs.....	204.710	187.651	17.059
Half ditto, .....	102.355	93.825	8.529
Quarter ditto, .....	51.177	46.912	4.264
	<i>Silver.</i>	<i>Fine Silver.</i>	<i>Alloy.</i>
<b>Sicca Rupee Weight.</b>			
Grs. ....	191.916	175.923	15.993
Half ditto, .....	95.958	87.961	7.997
Quarter ditto, .....	47.979	43.981	3.998

Sicca rupees and gold mohurs of the weight and standard specified in the preceding section, to be considered as legal tenders.

*II.* All Calcutta sicca rupees and gold mohurs of the weight and standard specified in Section I, which may be coined in the Calcutta mint, after the 1st of January, 1819, and also their halves and quarters, are to be considered as legal tender of payment in all public and private transactions throughout the provinces of Bengal, Behar and Orissa, in like manner as the nineteenth sun sicca rupees and gold mohurs, and the fractional parts of them now in circulation, and any native officer of government refusing to receive them, shall be subject to the penalty prescribed in Section III, Regulation XXXV, 1793.

Section II, Regulation II, 1812, rescinded.

*III. First.* The following provisions shall be substituted for those of Section II, Regulation II, 1812, which are hereby rescinded.

Duty to be levied on bullion or coin delivered into the Calcutta mint for coinage.

*Second.* All silver bullion or coin (not being struck at the Calcutta mint) which may be delivered into that mint for coinage, shall be subject to a duty at the rate of two per cent, on the produce of such bullion or coin, in sicca rupees of the above weight and standard, and the amount of the said duty shall be accordingly deducted from the return to be made to the proprietor.

Duty to be levied if the proprietor shall desire to have his bullion or coin converted into halves or quarters of rupees.

*Third.* Individuals who may be desirous of it, shall be at liberty to have their bullion or coin converted into halves or quarters of the above rupee, on condition of paying a duty at the rate of one per cent, in addition to the duty of two per cent established by the preceding clause.

Duty to be levied if such coin shall consist of Calcutta siccas.

*Fourth.* Should however the coin brought to the mint for that purpose, consist of Calcutta siccas of the former or present weight and standard, the proprietors shall only be subject to the additional duty of one per cent, and not to the duty on all other coin and bullion.

Course of proceeding to be observed when silver bullion or coin shall be delivered into the mint.

*Fifth.* On delivery of the silver bullion or coin into the mint, the mint master shall grant to the proprietor a receipt, entitling him to a certificate from the assay master, for the net produce of such bullion or coin, agreeably to the table subjoined to this Regulation, and marked No. 1. payable at the general treasury at Calcutta, at the expiration of ten days, if the produce be deliverable in whole rupees; and

at

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at the expiration of twenty days, if the produce be deliverable in halves or quarters of a rupee, from the date of such certificate. In the latter case, the additional duty established by Clause Third, Section IV, of this Regulation, is of course to be deducted from the net produce.

IV. Section III, Regulation II, 1812, is hereby declared applicable to rupees, half and quarter rupees, coined in conformity with the provisions of this Regulation, provided however that all such rupees, halves and quarters, shall be receivable in all public and private transactions, if, when separately weighed, the deficiency in point of weight, be not more than two pice, or grains troy 1,999 per rupee.

Application of Section III, Regulation II, 1812, to rupees, half and quarter rupees, coined in conformity with this Regulation.

V. *First.* The following rules shall be observed in lieu of the third and fourth clauses of Section V, Regulation II, 1812, which are hereby rescinded.

Clauses 3d and 4th, Section V, Regulation II, 1812, rescinded.

*Second.* For all gold bullion or coin equal to, or better than the standard prescribed for the gold mohur by this Regulation, which may be brought to the mint for coinage, a number of the new gold mohurs, or of the halves and quarters of such mohurs, equal to the produce of such bullion, shall be returned to the proprietor, after deducting the duty of 2½ per cent, as mentioned in Clause Second, Section V, Regulation II, 1812.

Mode of proceeding when gold bullion or coin brought to the mint for coinage, shall be equal to or better than the standard prescribed for the gold mohur by this Regulation.

*Third.* All gold bullion or gold coin, being under the above specified standard, which may be delivered into the Calcutta mint for coinage, shall, in addition to the duty of two rupees eight annas per cent, fixed by Clause Second, Section V, Regulation II, 1812, be subject to a charge, on account of the loss and expense of refining agreeably to table No. II, annexed to this Regulation, together with the established deduction on account of the inferiority of standard.

Mode of proceeding when it may be inferior to the above specified standard.

VI. Such parts of Regulation XXXV, of 1793, and Regulation II, 1812, as are not repealed by the above Regulation, shall be considered as still in force.

Certain provisions of Regulation XXXV, 1793, and Regulation II, 1812, to be still in force.



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[No. 1.]

Table of the Produce of Silver Bullion in the Calcutta Mint, commencing the 1st of January 1819.

Standard.	Decimal addition or Deduction per Cent.	Charges for Refining	Total Deduction.	Produce in Sa. Wt.	Produce in Sa. Rs.	Duty of 2 per Cent on Coinage.	Nett produce Sicaa Rupees.
20 Br.	2.081	"	"	109.091	102.128	2.045	100.083
19 Br.	2.084	"	"	108.884	101.915	2.038	99.877
18 Br.	2.088	"	"	108.638	101.703	2.034	99.688
17 Br.	2.109	"	"	108.408	101.489	2.030	99.459
16 Br.	2.189	"	"	108.189	101.277	2.026	99.231
15 Br.	2.255	"	"	107.955	101.064	2.021	99.043
14 Br.	2.277	"	"	107.777	100.854	2.017	98.834
13 Br.	2.500	"	"	107.500	100.638	2.013	98.625
12 Br.	2.273	"	"	107.273	100.426	2.008	98.418
11 Br.	2.048	"	"	107.048	100.213	2.004	98.208
10 Br.	2.818	"	"	106.818	100.000	2.000	98.000
9 Br.	2.591	"	"	106.591	99.787	1.996	97.791
8 Br.	2.364	"	"	106.364	99.575	1.991	97.584
7 Br.	2.138	"	"	106.138	99.361	1.987	97.374
6 Br.	2.909	"	"	105.909	99.149	1.983	97.166
5 Br.	2.682	"	"	105.682	98.936	1.979	96.957
4 Br.	2.455	"	"	105.455	98.724	1.974	96.750
3 Br.	2.227	"	"	105.227	98.510	1.970	96.540
2 Br.	2.000	"	"	105.000	98.298	1.966	96.332
1 Br.	4.773	"	"	104.773	98.085	1.962	96.123
10 Br.	4.545	"	"	104.545	97.872	1.957	95.915
9 Br.	4.318	"	"	104.318	97.659	1.953	95.706
8 Br.	4.091	"	"	104.091	97.447	1.949	95.498
7 Br.	3.864	"	"	103.864	97.234	1.945	95.289
6 Br.	3.636	"	"	103.636	97.021	1.940	95.081
5 Br.	3.409	"	"	103.409	96.808	1.936	94.872
4 Br.	3.182	"	"	103.182	96.596	1.931	94.663
3 Br.	2.955	"	"	102.955	96.383	1.928	94.455
2 Br.	2.727	"	"	102.727	96.170	1.923	94.247
1 Br.	2.500	"	"	102.500	95.957	1.919	94.038
10 Br.	2.273	"	"	102.273	95.745	1.915	93.830
9 Br.	2.045	"	"	102.045	95.532	1.911	93.620
8 Br.	1.818	"	"	101.818	95.319	1.906	93.413
7 Br.	1.591	"	"	101.591	95.106	1.902	93.204
6 Br.	1.364	"	"	101.364	94.894	1.898	92.996
5 Br.	1.138	"	"	101.138	94.680	1.894	92.786
4 Br.	.909	"	"	100.909	94.468	1.889	92.579
3 Br.	.682	"	"	100.682	94.255	1.885	92.370
2 Br.	.455	"	"	100.455	94.043	1.881	92.162
1 Br.	.227	"	"	100.227	93.830	1.877	91.953
Standard.	.000	"	"	100.000	93.617	1.872	91.745
1 W.	.227	"	.227	99.773	93.404	1.868	91.536
1 Br.	.455	"	.455	99.545	93.191	1.864	91.327
1 W.	.682	"	.682	99.318	92.979	1.860	91.119
1 W.	.909	"	.909	99.091	92.766	1.855	90.911
2 W.	1.136	"	1.136	98.864	92.554	1.851	90.703
3 W.	1.364	"	1.364	98.636	92.341	1.847	90.494
4 W.	1.591	"	1.591	98.409	92.128	1.843	90.285
5 W.	1.818	"	1.818	98.182	91.915	1.838	90.077
6 W.	2.045	"	2.045	97.955	91.703	1.834	89.868
7 W.	2.273	"	2.273	97.727	91.489	1.830	89.659
8 W.	2.500	"	2.500	97.500	91.277	1.826	89.451
9 W.	2.727	"	2.727	97.273	91.064	1.821	89.243
10 W.	2.955	.297	3.252	97.045	90.851	1.817	89.034
11 W.	3.182	.445	3.627	96.818	90.638	1.813	88.825
12 W.	3.409	.592	4.001	96.591	90.426	1.809	88.616
13 W.	3.636	.740	4.380	96.364	90.213	1.805	88.407
14 W.	3.864	.887	4.758	96.136	90.000	1.801	88.198
15 W.	4.091	1.035	5.149	95.909	89.787	1.797	87.989
16 W.	4.318	1.064	5.382	95.682	89.575	1.793	87.780
17 W.	4.545	1.072	5.617	95.455	89.361	1.789	87.571
18 W.	4.773	1.078	5.851	95.227	89.149	1.785	87.362
19 W.	5.000	1.088	6.088	95.000	88.936	1.781	87.153
20 W.	5.227	1.100	6.327	94.773	88.724	1.777	86.944
1 Br.	5.455	1.119	6.567	94.545	88.510	1.773	86.735
2 Br.	5.682	1.125	6.807	94.318	88.298	1.769	86.526
3 Br.	5.909	1.138	7.047	94.091	88.085	1.765	86.317
4 Br.	6.136	1.150	7.286	93.864	87.872	1.761	86.108
5 Br.	6.364	1.161	7.525	93.636	87.659	1.757	85.899
6 Br.	6.591	1.173	7.764	93.409	87.447	1.753	85.690
7 Br.	6.818	1.185	8.004	93.182	87.234	1.749	85.481
8 Br.	7.045	1.196	8.243	92.955	87.021	1.745	85.272
9 Br.	7.273	1.208	8.481	92.727	86.808	1.741	85.063
10 Br.	7.500	1.220	8.720	92.500	86.596	1.737	84.854
11 Br.	7.727	1.233	8.959	92.273	86.383	1.733	84.645
12 Br.	7.955	1.250	9.200	92.045	86.170	1.729	84.436
13 Br.	8.182	1.258	9.440	91.818	85.957	1.725	84.227

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Standard.	Decimal addition or deduction per Cent.	Charges for Refining.	Total Deduc- tion.	Produce in Sa. 171.	Produce in Sa. Rs.	Duty of 2 per Cent on coin- age.	Nett produce Sicca Rupees.
<i>Duty.</i>							
18½ W.	8.409	1.287	9.696	90.331	84.540	1.691	82.849
19 W.	8.696	1.305	9.941	90.059	84.311	1.686	82.625
19½ W.	8.884	1.321	10.185	89.815	84.082	1.682	82.400
20 W.	9.091	1.339	10.430	89.570	83.843	1.677	82.176
20½ W.	9.318	1.357	10.675	89.325	83.623	1.672	81.951
21 W.	9.545	1.375	10.918	89.082	83.396	1.668	81.728
21½ W.	9.773	1.404	11.177	88.823	83.163	1.663	81.490
22 W.	10.000	1.434	11.434	88.568	82.913	1.658	81.256
22½ W.	10.227	1.466	11.693	88.307	82.670	1.653	81.012
23 W.	10.455	1.496	11.951	88.049	82.429	1.648	80.781
23½ W.	10.682	1.526	12.208	87.792	82.188	1.644	80.544
24 W.	10.909	1.555	12.464	87.536	81.949	1.639	80.310
24½ W.	11.136	1.585	12.721	87.279	81.708	1.634	80.074
25 W.	11.364	1.615	12.979	87.021	81.466	1.629	79.837
25½ W.	11.591	1.649	13.240	86.760	81.222	1.624	79.596
26 W.	11.818	1.683	13.501	86.499	80.978	1.620	79.358
26½ W.	12.045	1.717	13.762	86.238	80.733	1.614	79.119
27 W.	12.273	1.751	14.024	85.976	80.488	1.610	78.878
27½ W.	12.500	1.800	14.300	85.700	80.230	1.605	78.625
28 W.	12.727	1.850	14.577	85.423	79.970	1.599	78.371
28½ W.	12.955	1.900	14.855	85.145	79.710	1.594	78.116
29 W.	13.182	1.950	15.139	84.868	79.451	1.589	77.859
29½ W.	13.409	2.010	15.419	84.591	79.182	1.584	77.598
30 W.	13.636	2.068	15.704	84.315	78.915	1.578	77.337
30½ W.	13.864	2.128	15.993	84.034	78.646	1.573	77.073
31 W.	14.091	2.183	16.274	83.726	78.382	1.568	76.814
31½ W.	14.318	2.240	16.558	83.442	78.116	1.562	76.554
32 W.	14.545	2.296	16.841	83.159	77.851	1.557	76.294
32½ W.	14.773	2.349	17.124	82.878	77.588	1.552	76.036
33 W.	15.000	2.398	17.398	82.604	77.330	1.547	75.783
33½ W.	15.227	2.444	17.671	82.329	77.074	1.541	75.533
34 W.	15.455	2.485	17.940	82.050	76.822	1.536	75.280
34½ W.	15.682	2.511	18.193	81.807	76.565	1.532	75.033
35 W.	15.909	2.556	18.445	81.556	76.340	1.527	74.782

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[No. 2.]

Table of the Produce of Gold Bullion in the Calcutta Mint, commencing the 1st January, 1819.

New Standard.			Decimal addition or Deduction per Cent.	Charges for Refining.	Total Deduction.	Produce in Sica Weight.	Produce in Gold Measure.	Duty of 3 per Cent on Gold.	Nett produce in Gold Measures.
Car.	Gr.	Ozs.							
2	1.	3.	Br.	9.00091	"	106.00091	95.74485	2.99362	93.35123
1.	1.	3.	Br.	8.90682	"	106.80682	95.49551	2.98799	93.10819
1.	1.	3.	Br.	8.59775	"	106.59775	95.24619	2.98115	92.86503
1.	1.	3.	Br.	8.29854	"	106.29854	94.99684	2.97499	92.62192
1.	1.	3.	Br.	7.95455	"	107.95455	94.74731	2.96869	92.37882
1.	1.	3.	Br.	7.67046	"	107.67046	94.49817	2.96215	92.13572
1.	1.	3.	Br.	7.38636	"	107.38636	94.24883	2.95582	91.89261
1.	1.	3.	Br.	7.10227	"	107.10227	93.99949	2.94939	91.64950
1.	1.	3.	Br.	6.81818	"	106.81818	93.75016	2.94295	91.40641
1.	1.	3.	Br.	6.53409	"	106.53409	93.50082	2.93652	91.16330
1.	1.	3.	Br.	6.25000	"	106.25000	93.25149	2.93009	90.92020
1.	1.	3.	Br.	5.96591	"	105.96591	93.00216	2.92365	90.67711
1.	1.	3.	Br.	5.68182	"	105.68182	92.75282	2.91722	90.43400
1.	1.	3.	Br.	5.39773	"	105.39773	92.50349	2.91079	90.19090
1.	1.	3.	Br.	5.11364	"	105.11364	92.25416	2.90435	89.94781
1.	1.	3.	Br.	4.82955	"	104.82955	92.00483	2.89792	89.70471
1.	1.	3.	Br.	4.54546	"	104.54546	91.75549	2.89149	89.46162
0.	0.	3.	Br.	4.26136	"	104.26136	91.50616	2.88505	89.21853
0.	0.	3.	Br.	3.97727	"	103.97727	91.25683	2.87862	88.97544
0.	0.	3.	Br.	3.69318	"	103.69318	91.00749	2.87219	88.73235
0.	0.	3.	Br.	3.40909	"	103.40909	90.75816	2.86575	88.48926
0.	0.	3.	Br.	3.12500	"	103.12500	90.50883	2.85932	88.24617
0.	0.	3.	Br.	2.84091	"	102.84091	90.25949	2.85289	88.00308
0.	0.	3.	Br.	2.55682	"	102.55682	90.01016	2.84645	87.75999
0.	0.	3.	Br.	2.27273	"	102.27273	89.76083	2.84002	87.51690
0.	0.	3.	Br.	1.98864	"	101.98864	89.51149	2.83359	87.27381
0.	0.	3.	Br.	1.70455	"	101.70455	89.26216	2.82715	87.03072
0.	0.	3.	Br.	1.42046	"	101.42046	89.01283	2.82072	86.78763
0.	0.	3.	Br.	1.13636	"	101.13636	88.76349	2.81429	86.54454
0.	0.	3.	Br.	88227	"	100.88227	88.51416	2.80785	86.30145
0.	0.	3.	Br.	86818	"	100.86818	88.26483	2.80142	86.05836
0.	0.	3.	Br.	85409	"	100.85409	88.01549	2.79499	85.81527
0.	0.	3.	Br.	84000	"	100.84000	87.76616	2.78855	85.57218
0.	0.	3.	Br.	82591	"	100.82591	87.51683	2.78212	85.32909
0.	0.	3.	Br.	81182	"	100.81182	87.26749	2.77569	85.08600
0.	0.	3.	Br.	79773	"	100.79773	87.01816	2.76925	84.84291
0.	0.	3.	Br.	78364	"	100.78364	86.76883	2.76282	84.59982
0.	0.	3.	Br.	76955	"	100.76955	86.51949	2.75639	84.35673
0.	0.	3.	Br.	75546	"	100.75546	86.27016	2.74995	84.11364
0.	0.	3.	Br.	74136	"	100.74136	86.02083	2.74352	83.87055
0.	0.	3.	Br.	72727	"	100.72727	85.77149	2.73709	83.62746
0.	0.	3.	Br.	71318	"	100.71318	85.52216	2.73065	83.38437
0.	0.	3.	Br.	69909	"	100.69909	85.27283	2.72422	83.14128
0.	0.	3.	Br.	68500	"	100.68500	85.02349	2.71779	82.89819
0.	0.	3.	Br.	67091	"	100.67091	84.77416	2.71135	82.65510
0.	0.	3.	Br.	65682	"	100.65682	84.52483	2.70492	82.41201
0.	0.	3.	Br.	64273	"	100.64273	84.27549	2.69849	82.16892
0.	0.	3.	Br.	62864	"	100.62864	84.02616	2.69205	81.92583
0.	0.	3.	Br.	61455	"	100.61455	83.77683	2.68562	81.68274
0.	0.	3.	Br.	60046	"	100.60046	83.52749	2.67919	81.43965
0.	0.	3.	Br.	58636	"	100.58636	83.27816	2.67275	81.19656
0.	0.	3.	Br.	57227	"	100.57227	83.02883	2.66632	80.95347
0.	0.	3.	Br.	55818	"	100.55818	82.77949	2.65989	80.71038
0.	0.	3.	Br.	54409	"	100.54409	82.53016	2.65345	80.46729
0.	0.	3.	Br.	53000	"	100.53000	82.28083	2.64702	80.22420
0.	0.	3.	Br.	51591	"	100.51591	82.03149	2.64059	79.98111
0.	0.	3.	Br.	50182	"	100.50182	81.78216	2.63415	79.73802
0.	0.	3.	Br.	48773	"	100.48773	81.53283	2.62772	79.49493
0.	0.	3.	Br.	47364	"	100.47364	81.28349	2.62129	79.25184
0.	0.	3.	Br.	45955	"	100.45955	81.03416	2.61485	79.00875
0.	0.	3.	Br.	44546	"	100.44546	80.78483	2.60842	78.76566
0.	0.	3.	Br.	43136	"	100.43136	80.53549	2.60199	78.52257
0.	0.	3.	Br.	41727	"	100.41727	80.28616	2.59555	78.27948
0.	0.	3.	Br.	40318	"	100.40318	80.03683	2.58912	78.03639
0.	0.	3.	Br.	38909	"	100.38909	79.78749	2.58269	77.79330
0.	0.	3.	Br.	37500	"	100.37500	79.53816	2.57625	77.55021
0.	0.	3.	Br.	36091	"	100.36091	79.28883	2.56982	77.30712
0.	0.	3.	Br.	34682	"	100.34682	79.03949	2.56339	77.06403
0.	0.	3.	Br.	33273	"	100.33273	78.79016	2.55695	76.82094
0.	0.	3.	Br.	31864	"	100.31864	78.54083	2.55052	76.57785
0.	0.	3.	Br.	30455	"	100.30455	78.29149	2.54409	76.33476
0.	0.	3.	Br.	29046	"	100.29046	78.04216	2.53765	76.09167
0.	0.	3.	Br.	27636	"	100.27636	77.79283	2.53122	75.84858
0.	0.	3.	Br.	26227	"	100.26227	77.54349	2.52479	75.60549
0.	0.	3.	Br.	24818	"	100.24818	77.29416	2.51835	75.36240
0.	0.	3.	Br.	23409	"	100.23409	77.04483	2.51192	75.11931
0.	0.	3.	Br.	22000	"	100.22000	76.79549	2.50549	74.87622
0.	0.	3.	Br.	20591	"	100.20591	76.54616	2.49905	74.63313
0.	0.	3.	Br.	19182	"	100.19182	76.29683	2.49262	74.39004
0.	0.	3.	Br.	17773	"	100.17773	76.04749	2.48619	74.14695
0.	0.	3.	Br.	16364	"	100.16364	75.79816	2.47975	73.90386
0.	0.	3.	Br.	14955	"	100.14955	75.54883	2.47332	73.66077
0.	0.	3.	Br.	13546	"	100.13546	75.29949	2.46689	73.41768
0.	0.	3.	Br.	12136	"	100.12136	75.05016	2.46045	73.17459
0.	0.	3.	Br.	10727	"	100.10727	74.80083	2.45402	72.93150
0.	0.	3.	Br.	9318	"	100.09318	74.55149	2.44759	72.68841
0.	0.	3.	Br.	7909	"	100.07909	74.30216	2.44115	72.44532
0.	0.	3.	Br.	6500	"	100.06500	74.05283	2.43472	72.20223
0.	0.	3.	Br.	5091	"	100.05091	73.80349	2.42829	71.95914
0.	0.	3.	Br.	3682	"	100.03682	73.55416	2.42185	71.71605
0.	0.	3.	Br.	2273	"	100.02273	73.30483	2.41542	71.47296
0.	0.	3.	Br.	864	"	100.00864	73.05549	2.40899	71.22987
0.	0.	3.	Br.	455	"	100.00455	72.80616	2.40255	70.98678
0.	0.	3.	Br.	45	"	100.00045	72.55683	2.39612	70.74369
0.	0.	3.	Br.	4	"	100.00004	72.30749	2.38969	70.50060
0.	0.	3.	Br.	0	"	100.00000	72.05816	2.38325	70.25751

# A. D. 1918. REGULATION XIV.

New Standard.			Decimal addition or Deduction per Cent.	Charges for Refining.	Total Deduction.	Produce in Sica weight.	Produce in Gold Mohurs.	Duty of 3 per Cent on Coinage.	Nett produce in Gold Mohurs.
Car.	Gr.	Qrs.							
2.	2.	1/2 W.	11.61773	1.50000	13.14773	86.8527	76.22566	1.90567	74.32119
2.	2.	1/2 W.	11.93183	1.50000	13.43183	86.56818	75.97798	1.89944	74.07808
2.	2.	1/2 W.	12.21581	1.50000	13.71581	86.28407	75.72819	1.89320	73.83499
2.	2.	1/2 W.	12.50000	1.50000	14.00000	86.00000	75.47885	1.88698	73.59188
2.	2.	1/2 W.	12.78409	1.50000	14.28409	85.71591	75.22954	1.88074	73.34878
2.	2.	1/2 W.	13.06818	1.50000	14.56818	85.43183	74.98018	1.87450	73.10568
2.	2.	1/2 W.	13.35227	1.50000	14.85227	85.14773	74.73085	1.86827	72.86258
3.	0.	0 W.	13.63633	1.50000	15.13633	84.86361	74.48151	1.86204	72.61947
3.	0.	0 W.	13.92045	1.50000	15.42045	84.57955	74.23217	1.85580	72.37637
3.	0.	0 W.	14.20455	1.50000	15.70455	84.29545	73.98284	1.84957	72.13327
3.	0.	0 W.	14.48864	1.50000	15.98864	84.01136	73.73350	1.84334	71.89016
3.	1.	1 W.	14.77273	1.50000	16.27273	83.72727	73.48417	1.83710	71.64707
3.	1.	1 W.	15.05682	1.50000	16.55682	83.44318	73.23483	1.83087	71.40396
3.	1.	1 W.	15.34091	1.50000	16.84091	83.15909	72.98550	1.82464	71.16086
3.	1.	1 W.	15.62500	1.50000	17.12500	82.87500	72.73616	1.81840	70.91776
3.	2.	2 W.	15.90909	1.50000	17.40909	82.59091	72.48683	1.81217	70.67466
3.	2.	2 W.	16.19318	1.50000	17.69318	82.30682	72.23749	1.80594	70.43155
3.	2.	2 W.	16.47727	1.50000	17.97727	82.02273	71.98816	1.79970	70.18845
3.	2.	2 W.	16.76136	1.50000	18.26136	81.73864	71.73882	1.79347	69.94535
3.	3.	3 W.	17.04545	1.50000	18.54545	81.45455	71.48949	1.78724	69.70225
3.	3.	3 W.	17.32955	2.00000	19.32955	80.67045	70.80131	1.77003	69.03128
3.	3.	3 W.	17.61364	2.00000	19.61364	80.38636	70.55198	1.76380	68.78818
3.	3.	3 W.	17.89773	2.00000	19.89773	80.10227	70.30264	1.75757	68.54507
4.	0.	0 W.	18.18182	2.00000	20.18182	79.81818	70.05331	1.75134	68.30198
4.	0.	0 W.	18.46591	2.00000	20.46591	79.53409	69.80398	1.74510	68.05888
4.	0.	0 W.	18.75000	2.00000	20.75000	79.25000	69.55464	1.73887	67.81577
4.	0.	0 W.	19.03409	2.00000	21.03409	78.96591	69.30531	1.73263	67.57268
4.	1.	1 W.	19.31818	2.00000	21.31818	78.68182	69.05597	1.72640	67.32957
4.	1.	1 W.	19.60227	2.00000	21.60227	78.39773	68.80664	1.72017	67.08647
4.	1.	1 W.	19.88636	2.00000	21.88636	78.11364	68.55730	1.71393	66.84337
4.	1.	1 W.	20.17045	2.00000	22.17045	77.82955	68.30797	1.70770	66.60027
4.	2.	2 W.	20.45455	2.00000	22.45455	77.54545	68.05862	1.70147	66.35715
4.	2.	2 W.	20.73864	2.00000	22.73864	77.26136	67.80929	1.69523	66.11406
4.	2.	2 W.	21.02273	2.00000	23.02273	76.97727	67.55995	1.68900	65.87095
4.	2.	2 W.	21.30682	2.00000	23.30682	76.69318	67.31062	1.68277	65.62785
4.	3.	3 W.	21.59091	2.00000	23.59091	76.40909	67.06129	1.67653	65.38475
4.	3.	3 W.	21.87500	2.00000	23.87500	76.12500	66.81196	1.67030	65.14165
4.	3.	3 W.	22.15909	2.00000	24.15909	75.84091	66.56262	1.66407	64.89854
4.	3.	3 W.	22.44318	2.00000	24.44318	75.55682	66.31329	1.65783	64.65545
5.	0.	0 W.	22.72727	2.00000	24.72727	75.27273	66.06396	1.65160	64.41234







